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**ANALYSING THE EFFECT OF PUBLIC PARTICIPATION ON NAIROBI COUNTY
GOVERNMENT'S LEGISLATION**

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MPPM 124148



**A DISSERTATION SUBMITTED IN PARTIAL FULFILMENT OF THE
REQUIREMENT FOR THE DEGREE OF MASTER'S IN PUBLIC POLICY
MANAGEMENT AT STRATHMORE UNIVERSITY**

MASTER'S IN PUBLIC POLICY MANAGEMENT

STRATHMORE UNIVERSITY

NAIROBI, KENYA

APRIL 2024

Declaration

I declare that this work has not been previously submitted and approved for the award of a degree by this or any other University. To the best of my knowledge and belief, the dissertation contains no material previously published or written by another person except where due reference is made in the dissertation itself.

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ABSTRACT

The problem addressed in this research pertains to the challenges faced by Nairobi County in effectively implementing constitutional mandates for robust public participation in legislative affairs. Despite constitutional provisions advocating for citizen involvement, concerns persist regarding the adequacy and implementation of guidelines governing public participation. These deficiencies have led to judicial interventions nullifying legislative enactments due to insufficient public engagement. The key objective of the research was to analyze the effect of public participation on legislation enacted by the Nairobi County Assembly. To achieve this, the research was grounded in stakeholder theory, emphasizing the importance of considering the needs and interests of all individuals and groups affected by organizational decisions. Adopting a mixed methods approach, the study integrated quantitative and qualitative methods to comprehensively analyze the research phenomenon. Methodologically, the research employed systematic sampling to collect data from adult residents (370) and key informants (25) involved in legislative processes. Quantitative data was obtained through a semi-structured questionnaire and analyzed using descriptive statistics in SPSS software. Qualitative insights from unstructured interviews were transcribed and analyzed thematically. Quality control measures were implemented to ensure data validity and reliability, with strict adherence to ethical considerations throughout the research process. The findings of this research provided valuable insights into the state of public participation in Nairobi County's legislative process. Residents expressed concerns about limited access to information, hindering their active participation in legislation. Varying opinions emerged on the influence of public consultation, with some perceiving a significant impact while others called for more effective mechanisms. Additionally, gaps in public involvement were identified, including limited outreach and perceived inefficiencies in participation processes. The study also underscored the lack of structured feedback mechanisms, impacting public empowerment and trust in legislative processes. Based on these findings, comprehensive recommendations are proposed to address the identified challenges. These include proactive publication of draft policies and bills coupled with robust civic education to improve access to information. Improving the impact of public consultation requires reviewing processes for meaningful consideration of public input and establishing transparency mechanisms. Increasing awareness and engagement of marginalized groups is essential for improving public involvement, while structured feedback and reporting systems are vital for fostering public empowerment and trust in legislative processes. Overall, these recommendations aim to create a more inclusive, transparent, and participatory legislative environment in Nairobi County, aligning governance with the needs and aspirations of its residents.

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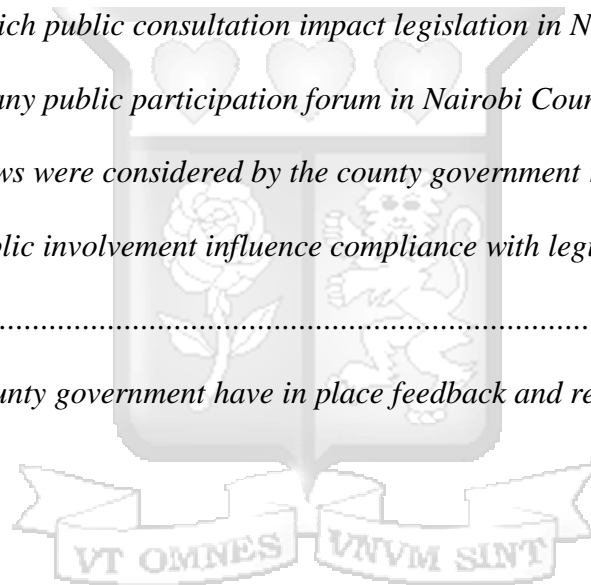


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DEFINITION OF TERMS

Consultation	The international association for public participation defines consultation as obtaining the public's feedback on analysis and alternatives and Government decisions.
Empowerment	The international association for public participation defines Empowerment as the process of leaving the final decision making to the public.
Information	The international association for public participation defines information as providing the public with information to assist them in understanding problems, solutions, alternatives, and opportunities to enable them to make informed decisions.
Involvement	directly working with the public in Government processes to ensure that public ideas and concerns are consistently understood and considered.
Legislation	Legislation is defined as a law or set of laws that have been enacted by a legislative house. Similarly, it can be defined as the process of enacting laws.
Meaningful participation	The involvement of the public where their view or input shape a decision.
Public participation	A structured way of consulting with individuals, groups and communities before decisions are made. It is the process through which a public entity passes information in a transparent and timely manner, to enable the public objectively to engage in decision making in matters that affect their lives

LIST OF ABBREVIATIONS

EA	Environmental Assessment
EIA	Environmental Impact Assessment
IAP2	International Association of Public Participation
LNOB	Leave No One Behind
UN	United Nations
UN SDG	United Nations Sustainable Development Goals



CHAPTER 1: INTRODUCTION

1.0 Introduction to the Study

The study analysed the effects of public participation on legislation enacted by Nairobi County Assembly. This chapter presents the background to the study, then situates and articulates the problem statement and highlights the aim and objectives of the study. The chapter also presents research objectives, research questions, scope, and significance of the study.

1.1 Background to the Study

Since the late 20th century, democracy has experienced a global resurgence, marked by the demise of authoritarian regimes and an increased emphasis on citizen participation in decision-making processes. This shift reflects a growing preference for direct citizen engagement over expert representation, driven by decreasing trust in public institutions and rising expectations for transparency and quality in governance. Civic engagement, as highlighted in the UN's 2008 report on public governance, is now widely recognized as essential for strengthening decision-making, accountability, and transparency in governance (World Economic Forum, 2019; The United Nations, 2008). However, there remains debate over the precise nature and extent of public participation, with questions about whether mere provision of information constitutes participation, or if true participation requires meaningful input from citizens in decision-making processes. Various frameworks and definitions have been proposed in the literature to address these complexities, alongside discussions on the benefits and challenges of public participation, and examples of participation mechanisms utilized across different countries (Bishop & Davis, 2002; Webler & Tuler, 2002).

According to the International Association for Public Participation (IAP2) (2023), effective public participation involves engaging the community in decision-making processes by providing them with balanced information, opportunities to contribute their viewpoints, and assurance that their input will influence decisions. This can be achieved through various modes of participation outlined by IAP2, including informing, consulting, involving, collaborating, and empowering the public. However, it is crucial to note that the success of public participation hinges on factors such as transparency, inclusivity, and meaningful engagement throughout the decision-making process,

as highlighted in the literature (International Association for Public Participation Australasia, 2016; Nabatchi, 2012).

Nevertheless, challenges such as lack of transparency, tokenistic engagement, and power imbalances between leaders and participants can undermine the effectiveness of public participation efforts (International Association for Public Participation Australasia, 2016). Therefore, policymakers and leaders in Nairobi County must strive to foster genuine collaboration, empower citizens by placing decision-making authority in their hands when appropriate, and ensure that all segments of the population have equal opportunities to participate. By adhering to principles of transparency, inclusivity, and accountability, Nairobi County government can enhance the quality of its legislation and promote trust and confidence among its citizens in the decision-making process and public institutions (IAP2, 2023; Nabatchi, 2012).

In recent years, Europe has witnessed a surge in the establishment of citizen assemblies, juries, and panels, primarily at the local level, but also at the national level. These initiatives, collectively termed as selection- or sortition-based participation, involve randomly selecting citizens to deliberate on specific policies. While this rise in participation is noteworthy, there is a growing realization that these practices are not yet deeply integrated into mainstream politics to significantly impact overall democratic quality. Despite improvements in participative methodologies and increased uptake of initiatives like citizen assemblies, standard channels of decision-making and political debate often undermine the influence of sortition initiatives, necessitating a closer examination of how sortition-based deliberation can be more firmly and effectively embedded within broader democratic arenas (Boswell, Dean, & Smith, 2022; Abels et al., 2022).

Efforts to embed sortition-based participation politically involve two distinct levels. The first level, termed institutionalization, focuses on ensuring that participative forums occur systematically and that their conclusions feed into formal decision-making processes. However, a second level, which is less explored, involves broader efforts to integrate participative dynamics, behaviors, and attitudes into mainstream politics. This wider dimension requires strategies for filtering the benefits of sortition forums into mainstream politics and the broader public sphere in more substantive and integral ways. Such efforts are crucial for addressing overarching challenges faced

by democracy and for maximizing the potential of direct citizen participation to reshape democratic politics (OECD, 2021; Curato & Parry, 2018).

Public participation and citizen engagement are integral components of the regulatory process in the United States, aiming to involve diverse stakeholders in government decision-making. These processes facilitate interactions between government agencies and various entities, including individuals, local governments, non-profit organizations, businesses, and others, with the goal of producing more responsive, effective, and equitable regulations (Sant'Ambrogio & Staszewski, 2018). By fostering trust-based relationships and two-way communication with communities, especially underserved ones historically excluded from decision-making, participation and engagement enable agencies to better understand public needs, identify regulatory issues, and formulate responsive regulatory proposals. Moreover, these processes contribute to enhancing the legitimacy and responsiveness of the regulatory process, fostering democratic accountability, and building trust in government among diverse communities (OMB Memorandum M-23-09, 2023).

However, despite the potential benefits of public participation and community engagement, several obstacles hinder broader engagement, particularly for underserved communities. These barriers include limited awareness or knowledge of the regulatory process, challenges in identifying specific regulations or issues for engagement, uncertainty about effective participation methods, and practical obstacles such as time constraints, language barriers, and lack of physical access. Addressing these barriers requires proactive efforts to increase awareness, improve accessibility, provide clear guidance on participation methods, and ensure equitable opportunities for engagement, especially for marginalized communities. Overcoming these obstacles is essential for promoting inclusive decision-making, enhancing the effectiveness of regulations, and strengthening democratic governance in the United States (Lambert et al., 2019; Yackee, 2019).

In China, the development of public participation mechanisms in the legislative process, particularly regarding the disclosure of legislative bills for public comments, has emerged as a significant area of academic inquiry and policy debate. Recent revisions to China's Legislation Law and environmental protection laws, such as the Environmental Protection Law (EPL), have introduced a two-stage disclosure and comment process, marking a notable departure from previous practices (Zhu & Wu, 2017; and Gu, 2011). This shift underscores the importance of

public participation in China's lawmaking process, aiming to enhance transparency, inform the public about legislative matters, improve interactions between citizens and lawmakers, and incorporate public opinions into legislation (Tianyi et al., 2013; and Jufang, 2014). Despite China's less-developed representative democracy and civil society, public participation mechanisms serve to address deficiencies in public debates over social issues. As scholars increasingly explore the implications and efficacy of public participation in China's legislative process, it becomes evident that fostering better environmental democracy through enhanced public engagement is crucial for policy development and governance in the country (Bin, 2015; Zhao, 2010; and Mihaly, 2009).

According to Ngunjiri (2023) the effectiveness of local governance and decentralization initiatives across African countries is shaped by various factors, including the country's governmental structure and historical experiences. Different forms of governance, such as parliamentary democracies, autocracies, developmental regimes, and monarchies, influence the degree of citizen participation and the nature of local governance systems. Historical events like post-colonial experiences, political violence, and social upheavals, such as those seen in Kenya, Rwanda, Cameroon, South Africa, and Tunisia, have significantly influenced political ideologies and governance structures (African Union, 2014).

For instance, Kenya's extensive decentralization reforms under the 2010 Constitution reflect efforts to address inequalities and mitigate post-election violence, while Rwanda's unitary presidential system underscores the dominance of the central government following the 1994 genocide (Ngunjiri, 2023). Despite continental and regional frameworks promoting public participation in local governance, challenges persist in translating these provisions into effective implementation and operationalization at the national and local levels. While many countries have ratified or adopted external legal frameworks, the localization of these provisions to suit local contexts remains incomplete, often due to limited political will, resource constraints, or citizen disengagement (Herian et al., 2012; Zanna, 2015).

Despite widespread adoption of decentralization and local governance legislation at both national and local levels across Africa, the actual realization of effective public participation varies significantly. While some countries have incorporated provisions from regional frameworks into their national laws, operationalizing these frameworks is hindered by political, economic, and

social factors. Low political will and resource constraints often impede effective citizen engagement, leading to hesitant adoption of supportive guiding frameworks (Zanna, 2015).

Additionally, the historical and governance context of each country influences the outcomes and success of public participation initiatives. Although some form of public participation exists in many African countries, the link between regional frameworks and actual practices remains blurred, with only a few countries formally ratifying these frameworks. For instance, despite Cameroon's ratification of the Charter on Decentralization, its implementation of decentralization and citizen engagement remains poor, underscoring the complex interplay between legal frameworks, political will, and practical outcomes in local governance (AHADI, 2020; Amah, 2018).

The political economy of Kenya is characterized by regional imbalances and ethnic inequalities in development, stemming from colonial-era policies that favored specific regions for investment, leading to disparities in basic infrastructure and poverty levels across different areas. These inequalities, rooted in historical grievances, ethnic divisions, and regional imbalances, have contributed to politically charged and ethnically polarized national politics. The promulgation of the 2010 Constitution marked a significant shift towards addressing these issues by introducing devolution as a key component. Devolution aimed to decentralize power and resources from the central government to 47 county governments, thereby mitigating regional imbalances and empowering marginalized counties to address historical inequalities. The Constitution emphasized public participation in governance and policymaking processes, institutionalizing mechanisms for citizen engagement at both the national and county levels (Kanyinga, 2019).

The 2010 Constitution of Kenya establishes a comprehensive framework for public participation, mandating its inclusion in policy development, lawmaking, planning, budgeting, public procurement, asset disposal, and oversight processes. Key provisions in the Constitution, such as Article 1, which vests sovereign power in the people of Kenya, underscore the importance of citizen involvement in governance. Additionally, the Constitution delegates sovereign powers to various governmental structures while emphasizing the exercise of sovereign power at both national and county levels. Various articles within the Constitution, including Article 10 on national values and principles of governance, Article 27 on the right to equality, and Article 33 on

freedom of expression, further reinforce the principles of public participation and citizen engagement in decision-making processes (De Francesco & Tosun, 2023; Nyaranga et al., 2022).

The research objectives and questions are firmly anchored in the literature, which underscores the pivotal role of citizen engagement in governance processes and its consequential impact on decision-making. By examining the extent to which access to information influences Nairobi County's legislation, the study delves into the fundamental role of transparency and information dissemination in shaping governance outcomes. Assessing the impact of public consultation on legislation enacted by the county Assembly acknowledges the importance of citizen engagement in fostering legitimacy and improving decision quality. Furthermore, by ascertaining the effect of public involvement and evaluating the impact of public empowerment on legislation, the research underscores the significance of genuine collaboration, empowerment, and inclusivity in governance processes. Overall, this alignment with existing literature highlights the critical need to understand and enhance democratic governance mechanisms in Nairobi County to improve decision-making and governance outcomes.

1.3 Problem Statement

The Constitution of Kenya 2010 underscores the pivotal role of citizen participation in governance processes, particularly within the context of devolution, aiming to fortify democratic principles and accountability. Despite constitutional mandates advocating for robust public involvement in legislative affairs, Nairobi County faces persistent challenges in translating these provisions into effective practices (CoG/KLRC, 2018). Key concerns revolve around the adequacy and implementation of guidelines governing public participation, as well as the adaptation of participation frameworks to suit the unique local context of Nairobi. Judicial interventions, exemplified by the nullification of legislative enactments due to insufficient public engagement, underscore the pressing need to address these deficiencies (Supreme Court Petition Number 12 of 2021; Robert Gakuru & others vs the County Government of Kiambu & Another, 2016; HC Petition No 104 OF 2020; HC Petition No. E 277 of 2021).

One prominent issue necessitating investigation is the effectiveness and inclusivity of existing public participation guidelines within Nairobi County's legislative processes. Despite

constitutional provisions mandating public involvement, questions linger regarding the comprehensiveness and accessibility of guidelines, potentially hindering meaningful citizen engagement (Mbithi et al., 2018). Furthermore, assessing the adequacy of public consultation mechanisms employed by the Nairobi County Assembly emerges as a critical area for examination. Understanding the extent to which citizens are consulted and their input incorporated into legislative decisions is essential for evaluating the responsiveness and legitimacy of the county's legislative processes.

Moreover, the level of citizen involvement in Nairobi County's legislative affairs warrants scrutiny to gauge the depth of public engagement and identify potential barriers to participation. Assessing the extent to which diverse segments of the population are engaged in legislative processes can shed light on disparities in access and representation, guiding efforts to enhance inclusivity and equity (CoG/KLRC, 2018). Additionally, analyzing the outcomes of public empowerment initiatives, such as initiatives aimed at fostering civic education and awareness, can provide insights into the effectiveness of strategies aimed at empowering citizens to actively participate in governance processes. Through comprehensive examination of these issues, this study seeks to contribute to the improvement of legislative practices and the promotion of democratic governance within Nairobi County.

1.4 Research Objectives

1.4.1 Overall Objective

The key objective of the research was to analyse the effect of public participation on legislation enacted by the Nairobi County Assembly.

1.4.2 Specific Objectives

The specific objectives of the study were to:

1. Investigate the extent to which access to information influences Nairobi County's legislation
2. Assess the impact of public consultation on legislation enacted by the county Assembly.

3. Ascertain the effect of public involvement on legislation enacted by the county Assembly.
4. Evaluate the effect of public empowerment on legislation enacted by the county Assembly.

1.5 Research Questions

The study will endeavor to answer the following research questions:

1. To what extent does access to information by the public influence legislation enacted by the Nairobi County assembly?
2. What is the impact of public consultation on legislation enacted by the Nairobi County Assembly?
3. How does public involvement affect legislation enacted by the Nairobi County assembly?
4. What is the effect of public empowerment on the outcome of legislation enacted by the Nairobi County assembly?

1.6 Scope of the Study

The study focused on how public participation affects the outcome of legislation passed by the Nairobi County assembly since the coming into force of county Governments in 2013. The current Kenyan constitutional dispensation created a devolved system of governance with both levels of government (National Government and the County Governments) being distinct but interdependent to each other, conducting their mutual relations based on consultation and cooperation (Constitution of Kenya, 2010). Focus was placed on Nairobi County because information on County public participation practices is easily available, and it is one of the latest counties to have its Finance Act 2018 nullified for lack of public participation. The study was aimed at providing a solution to avert such cases in the future. The study sample was proportionally selected from 3 out of the 17 constituencies in Nairobi County.

1.7 Significance of the Study

There are several debates on the need for public participation and in particular, the direct involvement of the public in legislative processes, decision making and policy development. Proponents of this discourse, such as Cooper et al. (1995) argue that traditional representative

democracy has become defective and is unable to respond adequately to reducing public participation in political processes. Gaventa (2007) on the other hand, argues that democracy is not simply a set of rules, procedures, and institutional design, and political participation cannot be reduced to engagement in electoral processes.

The study will also explain the different aspects of public participation and their effect on legislation passed by the Nairobi County assembly. Specifically, the study will; investigate the extent to which access to information influences Nairobi County's legislation, explain the impact of consultation on Nairobi County's legislation, examine the effect of public involvement on Nairobi County legislation, as well as evaluate the effect of public empowerment on Nairobi County legislation

By examining the effect of public participation in Nairobi County's legislation, the study findings will make an important contribution to; - **policy makers** (Nairobi County executive) of the necessary policy gaps and identify the necessary information to improve public participation in legislative the legislative process as well as in policy development. The findings will also inform **legislators** (members of the County Assembly) on ways they can make better use of information and input collated during public participation as well as improve the relationship between the county assembly and the public. The study will also identify gaps that are yet to be investigated and point out avenues that other researchers can explore. The study will also be useful as a reference material for academicians in future.

CHAPTER 2: LITERATURE REVIEW

2.0 Introduction

The chapter presents a review of theoretical literature on the relationship between the study variables. This will be done by articulating two theories of public participation, democratic theory and diversity and inclusion. The chapter will also present empirical literature, research gaps and conceptual framework of the study.

2.1 Review of Theoretical Literature

Several theories have been developed and explained by researchers on participation. This study will however focus on the stakeholder theory. In recent years, there has been a remarkable surge in theoretical advancements related to stakeholder theory, reflecting its growing prominence in various domains. Stakeholder theory has garnered significant attention and has become a focal point in discussions surrounding public policy and corporate governance. The theory's importance is underscored by its widespread adoption and recognition among scholars and practitioners alike. For instance, in a notable article, the author highlights stakeholder theory as a transformative framework that seeks to redefine the purpose and activities of corporations, challenging conventional notions of capitalism (Marcoux, 2000). This emphasis on stakeholder theory reflects a broader movement within business ethics to advocate for a comprehensive and socially responsible approach towards corporate decision-making.

2.1.1 The Development of Stakeholder Theory

Credit for the foundational development of the stakeholder concept is rightly attributed to Freeman (1984), whose seminal work laid the groundwork for its widespread adoption and application. However, even prior to Freeman's contributions, there were notable voices advocating for the consideration of corporate constituents. Abrams (1951) was among the early proponents, urging business leaders to recognize the importance of their various stakeholders. This sentiment was echoed two decades later by the Committee for Economic Development (1971), indicating a sustained interest in the idea of corporate responsibility towards stakeholders. Nevertheless, it was Freeman's work that truly propelled the stakeholder concept into the forefront of scholarly and

practical discussions surrounding corporate-social relations, leading to its pervasive use in describing and analysing the corporation's engagement with society.

While interpretations of the stakeholder concept may vary among scholars, they generally revolve around a common principle: the idea that corporations should consider the needs, interests, and impact of those affected by their decisions (Frederick, 1992). Carroll (1996) offers a definition, describing a stakeholder as "any individual or group who can affect or is affected by the actions, decisions, policies, practices, or goals of the organization." Similarly, Clarkson (1998) defines a stakeholder as "those persons or interests that have a stake, something to gain or lose as a result of its [the corporation's] activities." Thus, a stakeholder is broadly understood as an individual or group with a vested interest in the actions of a business and who may also exert influence on the organization in various ways.

According to Rogene & Sandra (2004) stakeholder theory is often positioned as an alternative to government regulation. Freeman envisions a stakeholder theory of capitalism where corporations, under pressure from stakeholders, address concerns such as product safety, accurate advertising, workplace safety, and environmental issues, potentially reducing the need for government intervention. Freeman (1998) suggests that by implementing stakeholder management principles, corporations can mitigate the necessity for industrial policy and reduce the extent of government intervention and regulation over time. Stakeholder theorists anticipate that as stakeholder principles become ingrained in corporate practices across America, the reliance on government oversight will diminish.

2.1.2 Public Policy and Stakeholder Theory

Stakeholder theory and stakeholder models, by overlooking the pivotal role of government in addressing diverse societal issues, tend to blur distinct levels of abstraction concerning public policy and its societal function. Within many stakeholder diagrams, government entities are often depicted merely as another stakeholder, akin to how certain prevalent political models portray businesses as merely another interest group vying for political support. While the government can be considered a stakeholder to some extent, its role extends far beyond that, as it is the primary actor in the public policy process. Likewise, while businesses may be seen as interest groups, their

significance surpasses that label, as they are the primary actors in the free market process (Rogene & Sandra, 2004).

The public policy process embodies society's collective aspirations for essential social goods and services, such as clean air and water, national defense, and product safety—goods and services that are inherently public and cannot be adequately provided by the marketplace (Buchholz, 1992). It serves as the appropriate mechanism for society to determine the allocation of resources to address social issues, rather than relying solely on corporations to exhibit social responsibility or accurately represent stakeholder interests. For example, society retains the freedom to allocate its resources according to its priorities and criteria. If society prioritizes improving air and water quality, it can allocate resources towards the production of these essential goods and impose regulations or incentives on businesses to align their behaviour accordingly. When businesses diverge from the typical market forces, it's only through public policy that market dynamics can be supplanted (Buchholz, 1977).

Public policy theory provides the conceptual framework through which the principles of stakeholder theory and other theories concerning the role of businesses in society can be put into practice. Public policy transcends being merely a political mechanism to sustain market operations; it serves as a societal mechanism to imbue the market with ethical direction and establishes mechanisms for addressing cultural, environmental, and technological challenges that arise (Rogene & Sandra, 2004). However, public policy is reliant on a baseline moral consciousness within the business community, and no amount of policy can substitute for intrinsic ethical values. Operating solely based on market incentives and regulatory sanctions represents a rudimentary level of moral development.

2.1.3 Implication of Stakeholder Theory on Public Participation in Government

Legislation

Stakeholder theory has profound implications for public participation in government legislation, particularly in fostering inclusion and democratic decision-making processes. At its core, stakeholder theory emphasizes that organizations, including governmental bodies like legislative assemblies, should take into account the interests and concerns of all individuals and groups

affected by their decisions and actions. In the context of government legislation, this means involving a wide range of stakeholders, such as citizens, advocacy groups, community organizations, businesses, and government agencies, in the legislative process. By incorporating diverse perspectives and inputs from stakeholders, legislators can make more informed and balanced decisions that reflect the broader interests of society. Stakeholder theory thus advocates for greater transparency, accountability, and responsiveness in government decision-making processes, ultimately enhancing the legitimacy and effectiveness of legislation (Freeman, 1984).

Applying stakeholder theory to the main objective of the study, which is to analyze the effect of public participation on legislation enacted by the Nairobi County Assembly, involves examining how different stakeholders engage with and influence the legislative process. This includes assessing the extent to which citizens, community organizations, and other stakeholders are involved in the formulation, review, and implementation of laws and policies. By understanding the dynamics of stakeholder engagement, the study can provide insights into how public participation shapes legislative outcomes and governance practices in Nairobi County. Stakeholder theory offers a conceptual framework for understanding the roles, interests, and interactions of various stakeholders in the legislative arena, guiding efforts to promote more inclusive and participatory decision-making processes (Freeman, 1998).

Furthermore, stakeholder theory informs the specific objectives of the study by highlighting the importance of different dimensions of public participation in government legislation. For example, investigating the influence of access to information, public consultation, involvement, and empowerment on legislative outcomes aligns with stakeholder theory's emphasis on considering the needs and interests of stakeholders in decision-making processes. Each specific objective corresponds to a key aspect of stakeholder engagement, such as ensuring transparency, soliciting input from affected parties, fostering collaboration, and empowering citizens to participate meaningfully in governance. By examining these dimensions of public participation through the lens of stakeholder theory, the study can provide valuable insights into how stakeholder engagement shapes legislative processes and outcomes in Nairobi County, ultimately contributing to efforts to strengthen democratic governance and accountability (Freeman, 1984).

2.2 Empirical Literature

Williams & Shearer, (2011). observe that the study of public participation has attained importance in public management and administration including legislation, budgeting and planning (Van der Wal et al., 2013). Scholars have engaged in debates on how active and meaningful citizen participation can improve governance, and the need for a strengthened democracy where citizens have the platform to participate in governance as well as check the Government (Bryson et al., 2014).

This section will be divided into the following themes: overview of public participation in counties, extent to which access to information influences Nairobi County's legislation, the impact of public consultation on Nairobi County's legislation, effect of public involvement on Nairobi County legislation and the effect of public empowerment on Nairobi County legislation This section will also present the research gaps. The section will be informed by the methodologies deployed by previous studies, and the results and findings of those studies.

2.2.1 Overview of Public Participation in Counties

County Governments are established under Article 176 of the constitution of Kenya to enhance equity in resource distribution, bring decision-making and services closer to the people and enable the right to self-determination. The functions of county Governments are assigned under Schedule 4 of the constitution and expounded by the County Governments Act 2012. The constitution provides that county Governments should involve citizens in decision-making. This provision ensures that citizens are heard by actively participating in decisions that affect their lives. Other than the constitution, various statutes provide for mandatory public participation at county levels. the Public Finance Management Act, 2012 provides for public participation in planning and budgeting public procurement and the Assets Disposal Act 2015 provides for public participation during tendering and further, and Sections 21 and 22 of the Urban Areas and Cities Act require counties to conduct public Participation by providing for the right of participation by residents in affairs of their city and urban areas.

Section 87 of the County Governments Act, 2012 outlines the principles of public participation in county governments and this means that all public participation forums conducted by the county

governments should follow the provisions of the Law. for there to be said to be effective public participation, the process should be reflective of,

Expedient access to information relevant to policy formulation and implementation as well as Reasonable balance in the roles and obligations of county government and non-state actors in decision-making processes to promote shared responsibility and partnership.

Further, sections 92, as well as sections 94,95,96,100,101 and 115 of the County Governments Act make it mandatory for County Governments to offer civic education and facilitate access to information and outreach for public participation in the work of the County Government by establishing modalities to facilitate meaningful public participation.

Public participation in policy and law-making

Schedule four of the Kenya Constitution 2010 allocates functions to the 47 county governments. Each county is mandated to develop the necessary policies, and legal and regulatory frameworks to enable them to perform their functions effectively. Article 196(1) (b) of the Constitution provides that county assemblies are to facilitate public participation in legislative and other business of the assembly and its committees. County assemblies should openly conduct their business and hold their sittings in public; and facilitate public participation and involvement in the legislative and other business of the assembly and its committees. This therefore means that County Assembly committees responsible for policy and legislation should take views from the citizens, at the village, ward, and sub-county and county levels during the law-making process. This ensures that laws passed meet constitutional and statutory provisions and are therefore legitimate in the eyes of the public.

Public participation in planning and Budgeting

Another county government function where there is a statutory requirement for public participation is during planning and budgeting. The process entails allocating public resources to what the county executive has planned to do in a particular year or period. Good planning and budgeting are key for the proper functioning of counties and thus, the public must be involved in budgeting on an annual, medium- and long-term basis

The public finance management law requires that the public participate in planning and budgeting given that county plans are funded by taxpayers' resources hence the public should have a say in how their resources are expended and which projects should be given priority. Section 137 provides for the establishment of the County Budget and Economic Forum for the County budget consultation process. The purpose of the Forum is to provide a means for consultation by the county governments on the preparation of county plans, the County Fiscal Strategy Paper and the Budget Review and Outlook Paper for the county and matters relating to budgeting, the economy, and financial management at the county level.

Public participation in procurement

Sections 68,125,138 and 179 of the Public Procurement and Assets Disposal Act, 2015 lay emphasis on transparency of the procurement process including requirements for procuring entities to publicly avail procurement records after closure of proceedings, publicize notice of intention to enter contracts on websites and public notice boards as well as publish and publicize all contract awards. The law further lays down procurement methods and the process to ensure proper expenditure of public resources. The Act also [provides that all public expenditure should be tied to the budget and no procurement should be done outside what is provided for in the budget. This provision ensures that the input and contribution of the public during the budget cycle is adhered to.

Public participation in oversight

County executive authority is vested and is exercised by the county governor, deputy governor, county executive committee members and all county officials working for the executive arm of the county government. The County Assembly is involved in the administrative process of vetting and oversight of public officers.

During the vetting of appointed officers, the county assembly invites the input of the public by calling for the submission of written memoranda, which provides a way for the public to communicate their input in fair detail. This is also done during the Monitoring of the performance of public officers. Counties assemblies must therefore put in place well-organised systems for

receiving and analyzing information that comes from the public to help in upholding the rule of law.

2.2.2 Extent to Which Access to Information Influence Nairobi County's Legislation

Literature reveals the existence of some factors hindering public participation in legislation. There are challenges implementing public participation in the Counties for example, public participation has been hindered by various reasons including lack of civic education and communication, limited access to information, as well as lack of proper mechanisms for outreach and inclusion. Kakonge (1996) in his study on problems with public participation in environmental impact assessment process observes that lack of communication between government and the people hinders public participation. He argues that when there is lack of communication, projects are formulated without dissemination of information by the government to the local people.

On the other hand, Kugonza and Mukobi (2011) in their study of public participation in service delivery projects in buikwe district local government Uganda argue that public participation is hindered by lack of Access to information, which is critical in enabling citizens articulate their ideas, effectively monitor government performance, hold government accountable and engage in informed dialogue about issues that affect their lives. According to them, information empowers all citizens including the vulnerable, marginalized and excluded people to claim their broader rights and entitlements. They observe that informed citizens can stand up for their rights and hold public officials accountable for their actions and decisions. Glover (2003) observes that information sharing in the policy process is always a requirement to ensure “effective and inclusive public participation”. She emphasizes the importance of nature and ways in which information is provided or shared with the citizens. She argues that there is a need for the use of “appropriate and accessible” methods of providing information.

According to Finkel (2000), civic education contributes to the development of a democratic culture amongst participants. This has been found to significantly increase individuals' political information, empowerment, and political participation. He argues that civic education provides knowledge and skills to ordinary citizens about democratic institutions, their roles, values, and procedures for accessing information and providing input on government decisions or projects.

further, Masango (2002) observes that capacity building through civic education helps governments both central and local, improve the citizens understanding of governance and ensures that they participate effectively in governance.

The public is often cynical about politics and Government, and therefore likely to approach a public participation platform, forum, with a wary eye (Wright, 2011). Literature reveals that public participation has a role to play in legislation. By providing an open forum for citizens to express their opinions, public participation enhances the legitimacy of legislation, a desired outcome for the County Government. Thus, designing a county Government that encourages and facilitates public participation in the legislation process requires open avenues for public input.

Access to information is important in enabling the public to effectively engage the Government. Article 35 of the constitution of Kenya guarantees every citizen the right to access information held by the Government. This provision includes information required for effective public participation within the limits of the Access to information Act 2016. Communication between Government and the public enables the public to know of the Government's program and the public can be able to contribute to governments decisions or programs effectively. Communication on the other hand involves the exchange of information between government and the public. A breakdown in communication between Government and the citizens hinders public participation because the public is not able to know which activities the Government is undertaking and how they can provide their input. When there is a lack of communication, decisions are made without dissemination of information to the people and hence no public input is considered in the making of such decisions.

Access to information and communication is critical in empowering and enabling citizens articulate their ideas, effectively monitor government performance, hold government accountable and engage in informed dialogue about issues that affect their lives. Access to information is hindered where the government is not willing to be transparent and open to citizens about its programs and activities. Huma, Haider & Zoe (2016) observe that access to information does not necessarily lead to greater citizen participation. This is because, there are structural and political barriers which hinder governments from producing information, and the ability of citizens to

claim their right to information and to use it to demand better governance and public services in many developing countries.

2.2.3 Impact of Public Consultation on Nairobi County's Legislation

According to empirical literature, consulting the public in the legislative process can have a considerable effect (Arter, 2006). When citizens participate in law-making, they are more likely to believe that their opinions and values are considered. Moreover, public participation can enhance lawmakers' decision-making, as it exposes them to a wider range of perspectives and information. Additionally, involving the public can promote transparency and accountability in the legislative process, allowing citizens to monitor lawmakers' actions and hold them responsible for their choices.

A study by Mbithi et al., (2019), found that respondents who had been consulted in government projects /decisions experienced meaningful public participation and thus were more likely to approve of both the MCAs' and Governor's performance compared to those who had not. Specifically, 33.5% of respondents who had not experienced significant public participation disapproved of the MCAs' performance, while 38.47% approved. In contrast, only 9.62% of respondents who had experienced meaningful public participation disapproved, and 18.56% approved. Similarly, for the Governor's performance, 30.11% of respondents who had not experienced significant public participation disapproved, while 41.71% approved. Among those who had experienced meaningful public participation, only 7.74% disapproved, and 20.44% approved. The text reports that the test for association between meaningful public participation and the independent variables of the MCAs' and Governor's performance revealed a statistically significant association ($\chi^2(1) = 23.8867 \leq 0.05$ and $\chi^2(1) = 34.4267 \leq 0.05$, respectively). In summary, the study suggests that meaningful public participation is associated with higher levels of approval for both the MCAs' and Governor's performance. This finding highlights the importance of public engagement in promoting good governance and accountability in the context of local government.

The study by (Zulueta-Fülscher & Bisarya, (2018) discusses how public participation during the constitutional drafting and ratification stages can affect the content of constitutions. It presents

evidence from comparative and case studies suggesting that involving the public in generating constitutional ideas can result in better protections for popularly supported rights. However, the text also acknowledges that wider participation can lead to inconsistencies and incoherence in the constitution, as evidenced in Brazil's 1988 Constitution. This is because participation exposes the negotiation process to competing interests and passions, making bargaining more difficult and potentially leading to extreme positions. Overall, the text implies that there may be trade-offs in terms of coherence and efficiency in the drafting process, even though public participation can enhance constitutional content.

Despite its potential advantages, public participation encounters multiple hurdles. One of the most substantial obstacles is the problem of representation. Due to unequal access, not all citizens can participate equally in the legislative process, resulting in an uneven representation. Furthermore, the quality of public participation poses another challenge. At times, citizens may not possess the required expertise or knowledge to offer insightful feedback, which can result in inferior quality public participation. Additionally, logistical hurdles may also exist, such as the expenses of conducting public hearings or scheduling citizen assemblies.

2.2.4 The Effect of Public Involvement on Nairobi County's Legislation

Devlin et al., (2005) notes that public involvement in projects can range from complete engagement, where the public is involved in all aspects of a project, to less comprehensive forms of involvement. Views collected during public participation have a significant impact on the law's responsiveness to the preferences of the people (Mbithi et al., 2019). When citizens are involved and given a chance to participate in the legislative process, they can provide valuable feedback and input that can help shape the laws created. This can result in laws that better reflect the needs, partiality, and the ethics of the community.

Involvement of the public in law making helps ensure that laws are grounded the needs and preferences of the people (Perlaviciute & Squintani, 2020). It allows citizens to highlight issues that policymakers may overlook or identify areas where existing laws are inadequate. This ensures that new laws are designed to address the most pressing concerns of the people, and existing laws are updated to reflect current realities. Public participation also ensures that laws are consistent

with the values of the community (Farazmand, 2018). When citizens are involved in the legislative process, they can identify proposed laws that may conflict with deeply held values or beliefs. This enables policymakers to modify their proposals in ways that are more consistent with community values, making the laws more likely to be followed and respected by the people.

Guo & Bai, (2019) presents the results of two regression models that investigate the relationship between public participation and environmental governance in China. The first model shows that public participation has a negative and significant coefficient, suggesting that increasing public participation can decrease industrial pollutants. The second model indicates that different forms of public participation have varying effects on environmental governance, with complaints having a negative and statistically significant coefficient, while proposals do not pass the significance test. The study notes that back-end governance is more prevalent in China than front-end governance, and two possible explanations for this are provided: back-end governance has stronger public support and polluting enterprises may not take public proposals seriously. In a nutshell, the study points out the significance of public participation in environmental governance and the need for different forms of participation to address various environmental challenges.

Public participation helps ensure that laws are responsive to changing circumstances. When citizens are involved in the legislative process, they can identify emerging issues or changing circumstances that may require new or modified laws. This helps policymakers to stay current with changing conditions and to develop laws that are better suited to address the challenges of the day. Public participation helps build trust between citizens and their Government (Holum, 2022). When citizens have a voice in the legislative process, they are more likely to feel that their government is responsive to their needs and concerns. This can help build trust and confidence in the government, leading to increased compliance with the laws that are created.

In conclusion, public participation is a critical tool in creating laws that are effective, efficient, and widely accepted by the people they are designed to serve. By involving citizens in the legislative process, policymakers can create laws that are responsive to the needs and preferences of the people, consistent with community values, and relevant to changing circumstances. This helps build trust and confidence in the government, leading to increased compliance with the laws that are created (He & Ma, 2021).

Public participation has a positive impact on citizen compliance with legislation. This is because citizen involvement in the legislative process creates a sense of ownership and responsibility for the laws created, leading to increased awareness, and understanding of the laws and a stronger commitment to complying with them. Citizen participation also results in increased respect for the law, as citizens view laws as legitimate and necessary when they understand the reasons behind them. Additionally, public participation can help identify potential issues and unintended consequences of legislation, reducing the likelihood of unintentional violations and increasing compliance. In conclusion, involving citizens in the legislative process creates a stronger sense of shared responsibility and understanding, leading to more effective, better understood, and more widely respected laws, which, in turn, increases compliance with the law.

2.2.5 Effect of Public Empowerment on Nairobi County's Legislation

In their study on participation's place in rural development, Cohen and Uphoff (1980), note that empowerment is a dimension of participation, and it can be defined as the extent to which people must obtain their intended results from their involvement in decision-making and implementation. Nelson & Prilleltensky (2005) argue that empowerment is concerned with increasing people's power over resources and decision-making. According to Kabeer (2005), empowerment, represents a process through which marginalized people overcome barriers to influence decisions that affect their lives

Vari (1998) examines the increasing trend of public participation in environmental rulemaking in developed capitalist countries. He argues that in the US, some agencies have adopted a process known as "regulatory negotiations" in which representatives of interest groups negotiate regulations under laws such as the Safe Drinking Water Act, the Clean Air Act, and the Resource Conservation and Recovery Act. Similarly, in Canada, important environmental protection laws like the Canadian Environmental Protection Act provide for public participation in the rulemaking process. This trend highlights the heightened recognition of the value of public engagement in environmental policy and the use of negotiations to build consensus among stakeholders.

Devlin et al., (2005) examines three studies that compare the role of public participation in environmental assessment (EA) legislation in different countries. According to the first study

conducted by the Canadian Environmental Assessment Agency and International Association for Impact Assessment, public participation was being institutionalized in Environmental Assessment legislation. The second study by Lee and George revealed that while public participation was provided for, the requirements were often vague and general. The third study, conducted by the authors, analyzed 31 Environmental Assessment Consistency Analysis Reports (EACAs) comparing Canadian EA requirements with those of Canadian International Development Agency (CIDA) partner countries and international financial institutions. The EACA Reports revealed that public participation opportunities varied across countries and institutions, with varying requirements for public hearings, access to information, and appeals. In a nutshell, the study highlights the differences in the formal arrangements for environmental assessment and the level of public participation across various countries and institutions.

Devlin et al., (2005) discusses reviews of environmental assessment (EA) in different countries, including studies conducted by Monosowski (1990), Sadler (1996), Kruger et al. (1997), Lee and George (2000), Glasson and Salvador (2000), Gibson (2002), and Sinclair and Fitzpatrick (2002). These studies suggest that although public participation in EA is often included in legislation, it frequently falls short in practice. One crucial factor that impacts the quality of participation is the unequal resources available to different groups of the public in terms of time, access to information, and political power, as discussed by Sinclair and Diduck (2000).

2.3 Summary and Research Gaps

The empirical literature on public participation in Nairobi County's legislative processes provides valuable insights into the mechanisms, challenges, and outcomes of citizen engagement in governance. Firstly, scholars emphasize the significance of citizen engagement in enhancing democratic governance and accountability (Williams & Shearer, 2011). Various laws and constitutional provisions mandate public involvement in decision-making processes at both the county and national levels, highlighting the legal framework supporting citizen engagement. However, challenges such as limited access to information, lack of civic education, and communication gaps hinder effective public participation (Kugonza & Mukobi, 2011).

Secondly, researchers examine the extent to which access to information influences Nairobi County's legislation. Access to information is essential for empowering citizens to articulate their ideas, monitor government performance, and engage in informed dialogue (Glover, 2003). However, inadequate communication and transparency between the government and the public hinder effective participation. Addressing these issues requires not only legal provisions but also practical mechanisms for disseminating information and facilitating meaningful engagement (Huma, Haider & Zoe, 2016).

Thirdly, the literature investigates the impact of public consultation on Nairobi County's legislation. Meaningful public participation is associated with higher levels of approval for both elected officials' performance and enhances the legitimacy and responsiveness of legislative decisions (Mbithi et al., 2019). However, challenges such as unequal representation and logistical hurdles persist, posing barriers to inclusive decision-making processes. Moreover, while public participation is recognized as crucial for effective governance, its implementation often falls short in practice, necessitating further research to identify strategies for enhancing the quality and impact of citizen engagement initiatives (Sinclair & Diduck, 2000).

The empirical literature on public participation in Nairobi County's legislative processes illuminates critical aspects of citizen engagement and its impact on governance. However, significant research gaps persist, limiting our understanding and ability to formulate effective strategies for enhancing public participation and empowerment. There is a dearth of studies specifically focused on Nairobi County, representing a notable gap in the literature. While broader frameworks and principles of public participation are discussed, a better understanding of the county-specific context is necessary for developing contextually relevant interventions (Musyoka, 2020). Additionally, there is limited research examining the mechanisms through which access to information and public consultation influence legislative outcomes in Nairobi County, as well as the barriers that hinder marginalized groups' participation in decision-making processes (Kabeer, 2005).

Furthermore, the literature lacks comprehensive studies investigating the long-term effects of public involvement and empowerment initiatives on legislative decision-making and citizen perceptions of governance in Nairobi County. Research on this topic is crucial for assessing the

sustainability and effectiveness of current public participation strategies and identifying areas for improvement (Perlaviciute & Squintani, 2020). In addition, there is a paucity of research exploring the quality of public participation and its translation into tangible improvements in governance practices. Understanding the factors that contribute to meaningful citizen engagement and the extent to which it influences policy outcomes is essential for designing evidence-based interventions to promote inclusive and responsive governance in Nairobi County (Farazmand, 2018). Addressing these research gaps will contribute to a more robust understanding of public participation dynamics and inform the development of tailored strategies to enhance citizen engagement and empowerment in Nairobi County's legislative processes.

2.4 Conceptual Framework

The conceptual framework outlined in the study establishes a structured approach to understanding the dynamics of public participation in government legislation within Nairobi County. Each objective of the research aligns with specific variables in the framework, focusing on different aspects of public engagement and their impact on legislative outcomes. Investigating the influence of access to information, public consultation, involvement, and empowerment on legislation enacted by the county Assembly provides an in depth understanding of how stakeholder engagement shapes governance practices. By examining these dimensions of public participation through the lens of the conceptual framework, the study aims to shed light on how transparency, inclusivity, and responsiveness contribute to the legitimacy and effectiveness of the legislative process.

The conceptual framework highlights the importance of fostering meaningful dialogue, soliciting diverse perspectives, and empowering stakeholders to participate in decision-making processes. Through active engagement with citizens, advocacy groups, and other stakeholders, the county Assembly can ensure that legislative decisions are informed, equitable, and responsive to the needs of the community. By addressing each objective within the framework, the study seeks to provide valuable insights into how public participation mechanisms can be optimized to enhance democratic governance and accountability in Nairobi County, ultimately contributing to more transparent, legitimate, and effective legislative outcomes.

The conceptual framework outlined in the study establishes the relationships between the independent variables, which are dynamics within public participation, and the dependent variable, which is the outcome of legislation in Nairobi County. The independent variables represent different aspects of public participation, namely information, consultation, involvement, and empowerment. These variables are crucial factors that influence the legislative process and ultimately determine the quality and effectiveness of legislation enacted by the county Assembly.

Independent variables

Dependent variable

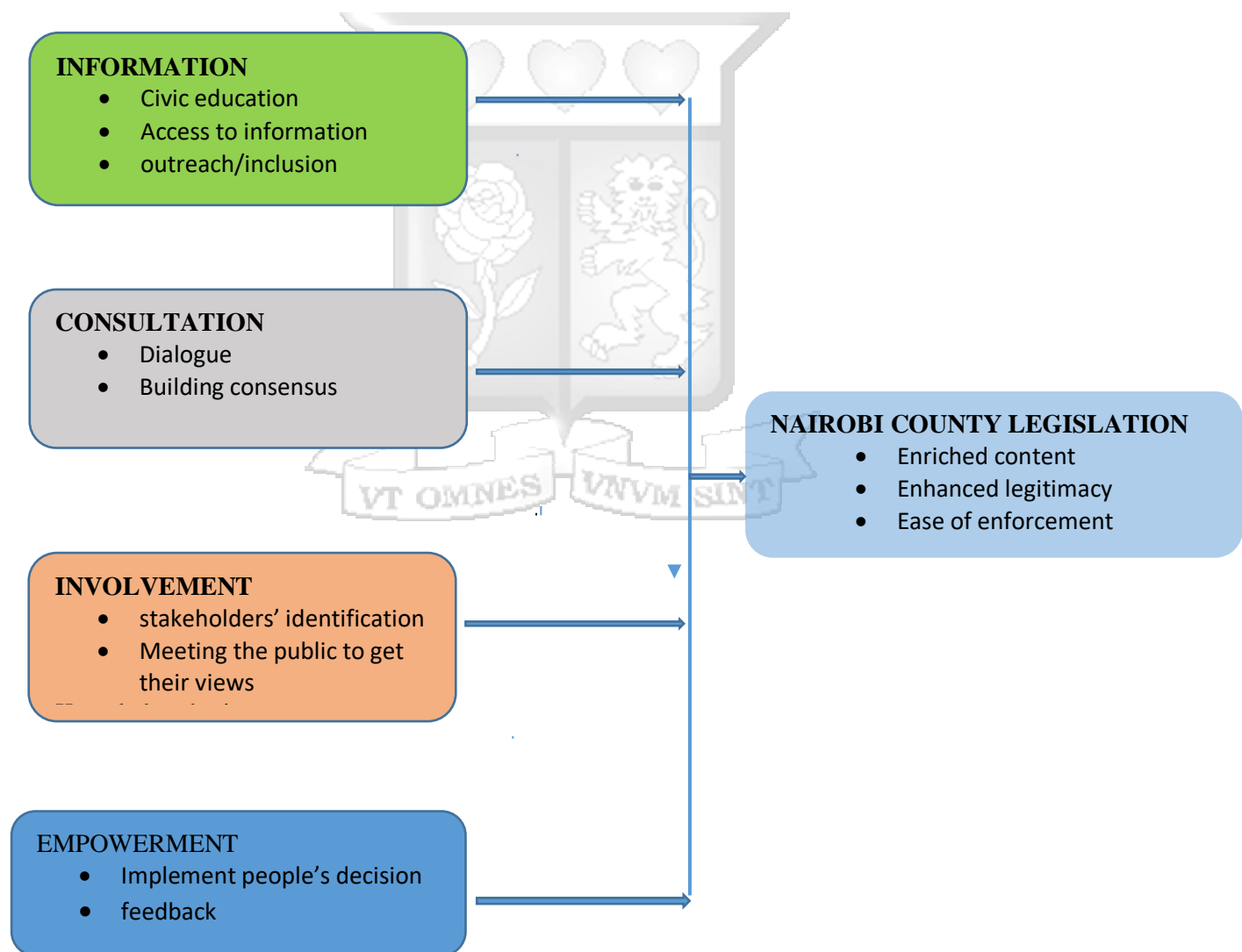


Figure 2 1: Conceptual framework

Information:

This variable encompasses the extent to which access to information influences legislation. It includes factors such as civic education, access to relevant information, and outreach/inclusion efforts aimed at ensuring that the public is well-informed about legislative matters. In the context of Stakeholder Theory, information plays a critical role in empowering stakeholders to participate effectively in decision-making processes. By providing stakeholders with accurate and transparent information, organizations (in this case, the Nairobi County Assembly) can facilitate meaningful engagement and foster trust and accountability.

Consultation:

This variable refers to the impact of public consultation on legislation enacted by the county Assembly. It involves engaging stakeholders in dialogue and deliberation to gather their input, address concerns, and build consensus around proposed policies or laws. In Stakeholder Theory, consultation is essential for recognizing and valuing the perspectives and interests of various stakeholders. It allows for the incorporation of diverse viewpoints into decision-making processes, leading to more informed and equitable outcomes.

Involvement:

This variable focuses on the effect of public involvement on legislation enacted by the county Assembly. It entails identifying stakeholders and actively engaging them in the decision-making process, such as through public hearings, workshops, or advisory committees. Stakeholder Theory emphasizes the importance of involving all relevant stakeholders in organizational decision-making, as their participation ensures that decisions are informed by the perspectives and interests of those affected by them.

Empowerment:

This variable involves the effect of public empowerment on legislation enacted by the county Assembly. It includes measures to implement decisions made through public participation, provide feedback to stakeholders, and ensure accountability in the legislative process. In Stakeholder

Theory, empowerment is essential for fostering trust, legitimacy, and accountability within organizations. By empowering stakeholders to participate in decision-making and holding decision-makers accountable for their actions, organizations can enhance the effectiveness and credibility of their governance processes.

Overall, the conceptual framework reflects the principles of Stakeholder Theory by emphasizing the importance of engaging stakeholders in decision-making processes and considering their perspectives and interests in legislative outcomes. By incorporating elements of information, consultation, involvement, and empowerment into the analysis, the study aligns with Stakeholder Theory's emphasis on inclusivity, transparency, and accountability in governance processes.

Table 2 1. Operationalization of study variables

Variable	Variable Measures	Research Instrument	Data Analysis
Information	<ul style="list-style-type: none"> ● Civic education ● Access to information ● Outreach/inclusion 	Ordinal Scale (Likert Scale) Unstructured interviews	Descriptive statistics
Consultation	<ul style="list-style-type: none"> ● Dialogue ● Building consensus 	Ordinal Scale (Likert Scale) Unstructured interviews	Descriptive statistics
Involvement	<ul style="list-style-type: none"> ● stakeholder identification ● meeting the public ● knowledge sharing 	Ordinal Scale (Likert Scale) Unstructured interviews	Descriptive statistics
Empowerment	<ul style="list-style-type: none"> ● implementing decisions ● feedback 	Ordinal Scale (Likert Scale) Unstructured interviews	Descriptive statistics
Nairobi County legislation	<ul style="list-style-type: none"> ● Enriched legislative content ● Enhanced legislation legitimacy ● Ease of enforcement 	Ordinal Scale (Likert Scale) Unstructured interviews	Descriptive statistics

2.5 Chapter Summary

The second chapter of the research focused on presenting the relevant literature in line with the study objectives. The theoretical underpinning of the study was guided by the Deliberative democracy theory and the communicative action on public participation theory. Relevant empirical studies were reviewed in line with the study objectives and various research gaps identified. Further, the chapter presents the conceptual link between the variables and how the same were measured and operationalized in the study.



CHAPTER 3: RESEARCH METHODOLOGY

3.1 Introduction

chapter three presented the methodological steps to be applied within the survey course. The chapter details include the research design to be used, the population of interest and how sampling will be done, research instruments, and data analysis techniques that were observed in the conduct of the research.

3.2 Research Philosophy

Pragmatism as a research philosophy in mixed methods research provides a flexible and practical approach to investigating research questions by combining both quantitative and qualitative methods. In this study, the use of pragmatism as a philosophical foundation acknowledges the importance of utilizing diverse approaches to address complex research problems effectively. Pragmatism emphasizes the importance of employing "what works" to gain insights into the research problem and question, prioritizing the significance of the research inquiry over strict adherence to a single paradigm or methodology (Morgan, 2007; Johnson & Onwuegbuzie, 2004).

The pragmatic approach in this study allows researchers to integrate both quantitative and qualitative methods seamlessly, leveraging the strengths of each approach to gain a comprehensive understanding of the research phenomenon. Pragmatism acknowledges that different research questions may require different methods for investigation and emphasizes the importance of using a combination of methods to triangulate findings and enhance the validity and reliability of the research outcomes (Greene, Caracelli, & Graham, 1989). By adopting a pragmatic perspective, researchers prioritize the practical utility of the research findings and focus on generating actionable insights that can inform policy and practice.

3.3 Research Design

The research design relied upon in this study utilized a mixed methods approach, combining both quantitative and qualitative methods to comprehensively analyze the effects of public participation on legislation enacted by the Nairobi County Assembly. Quantitative data was collected through

a questionnaire administered to randomly selected adult members of the public, while qualitative insights were gathered through unstructured interviews with legislators, policymakers, civil society organizations, and senior county executives. The choice of a mixed methods approach was motivated by its ability to provide a more holistic understanding of the research phenomenon, allowing for a deeper exploration of the complexities involved in public participation and its impact on legislative processes (Creswell & Creswell, 2018).

The survey design was selected for its effectiveness in elucidating the mechanisms and outcomes of public participation, shedding light on the underlying reasons for its effectiveness and identifying beneficiaries. This approach aligns with the research objective of investigating the multifaceted nature of public participation and its implications for democracy and good governance. Additionally, the qualitative component of the study, facilitated through unstructured interviews, aimed to provide rich contextual insights into the factors influencing the effectiveness of public participation in legislative processes (Creswell & Hirose, 2019).

The data collected from both the questionnaire and interviews were analyzed using descriptive statistics and content analysis techniques, respectively. By employing a mixed methods approach, this study sought to offer a comprehensive understanding of the role of public participation in legislative decision-making, identify key factors influencing its effectiveness, and propose recommendations for enhancing public engagement in the legislative process. This methodological approach was chosen to ensure the rigor and validity of the research findings, allowing for triangulation of results and deeper insights into the research phenomenon (Creswell & Creswell, 2018; Venkatesh, Brown, & Sullivan, 2016).

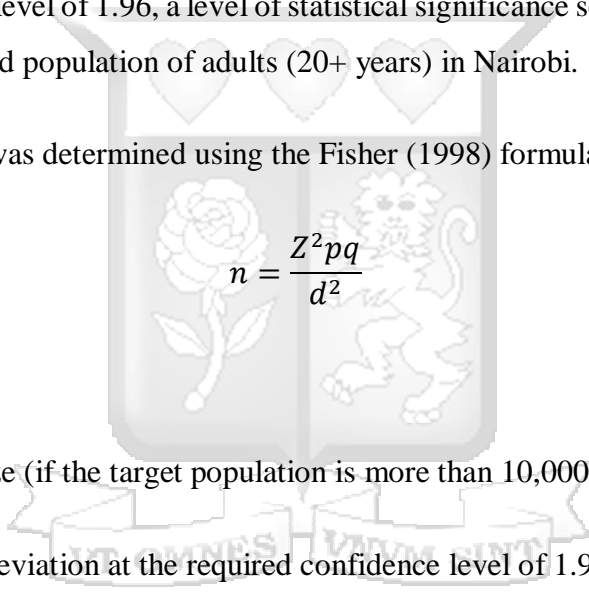
3.4 Population and Sampling

This study engaged two distinct groups of participants: adult residents of Nairobi affected by legislation enacted by the county assembly, and individuals involved in the legislative process, including those responsible for organizing and facilitating public participation in the county.

3.4.1 Target Respondents

The target respondents comprised 364 adults randomly sampled from three constituencies out of the 17 in Nairobi, specifically Mathare, Embakasi East, and Langata. The Office of the Members of the County Assembly facilitated the sampling process to enhance trust with the respondents. This approach was chosen due to the large population size of Nairobi, making it impractical to survey the entire population. Additionally, the randomly selected respondents from these three constituencies provided a diverse representation in terms of socio-economic status, educational background, age, culture, and ethnicity, obviating the need for sampling across all constituencies. The desired sample size was determined using Fisher's formula (1998) based on a standard normal deviation at a confidence level of 1.96, a level of statistical significance set at 0.05, and proportions derived from the estimated population of adults (20+ years) in Nairobi.

The desired sample size was determined using the Fisher (1998) formula which is:


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

Where.

n = the desired sample size (if the target population is more than 10,000)

z = the standard normal deviation at the required confidence level of 1.96.

d = the level of statistical significance set which is 0.05

p = the proportion in the characteristics being measured i.e., population of adults (20+ years) in Nairobi is 2,708,583 (KNBS, 2019). The proportion is estimated to be 61.6% (0.616)

q = 1 – p (1 - 0.616 = 0.384)

$$n = \frac{1.96^2 \times 0.616 \times 0.384}{0.05^2}$$

$$n = 364$$

3.4.2 Key Informants

For the qualitative component of the study, key informants were purposefully selected based on their expertise in public participation and the legislative process within Nairobi County. These informants included elected Members of the County Assembly (MCAs), representatives from participating civil society organizations, county executive members, chief officers, executive directors, and county assembly leadership such as the Speaker, Deputy Speaker, clerk, and committee chairpersons. The number of key informants (25 individuals) was determined based on recommendations suggesting that 15-25 interviews are typically sufficient to meet data needs while considering available time and resources. A distribution of key informants across representative categories ensured a comprehensive understanding of public participation and legislative dynamics in Nairobi County.

Table 3 1: Sample size distribution for key informants

Representative	Total number	Sample size
Elected MCAs	85	8
Participating civil societies	10	3
County executive members	10	3
Chief officers	27	4
Executive directors	30	4
County assembly leadership	10	3
Total	169	25

Source: Researcher (2023)

3.4.2 Data Collection Tools

Unstructured Interview Guide

An unstructured interview guide was meticulously crafted to gather qualitative insights aligning with the study's objectives. The guide comprised open-ended questions tailored to delve deeply into the nuances of public participation and legislative processes in Nairobi County. Careful consideration was given to ensure that the questions addressed key variables of interest, such as the impact of public participation on legislative outcomes and factors influencing the effectiveness of public engagement. The introductory section of the guide elucidated the study's purpose, fostering rapport and clarity with key informants. By employing an unstructured format, flexibility

was afforded to explore emergent themes and perspectives, enriching the qualitative data collection process. Through interviews with key informants, the guide facilitated comprehensive exploration of the subject matter, enabling a nuanced understanding of the intricacies involved.

Semi-Structured Questionnaire

To capture a broader spectrum of perspectives and experiences, a semi-structured questionnaire was meticulously designed to gather both quantitative and qualitative data pertinent to the study's objectives. The questionnaire comprised a blend of closed and open-ended questions strategically crafted to probe into the various dimensions of public participation and its impact on legislative processes. The introductory segment of the questionnaire provided a clear exposition of the study's aims, ensuring respondents' comprehension and cooperation. Prior to deployment, the questionnaire underwent rigorous pre-testing to validate its appropriateness, consistency, and integrity. This pre-test phase allowed for refinement and fine-tuning of the questionnaire, enhancing its effectiveness in eliciting relevant data. By integrating both closed and open-ended questions, the questionnaire facilitated comprehensive data collection while allowing respondents the flexibility to articulate their perspectives.

3.5 Data Collection Procedure

Data collection involved a systematic approach to ensure the integrity and reliability of the gathered information. Firstly, a research assistant was recruited and extensively trained to assist in the data collection process. This included providing the assistant with a thorough understanding of the study's objectives, methodology, and ethical considerations. Special attention was given to training on the administration of data collection tools, which involved a detailed review of the interview guide and questionnaire, as well as practice sessions to familiarize the assistant with the process. Emphasis was placed on ethical considerations, such as obtaining informed consent from participants and ensuring the confidentiality of collected data.

Once prepared, arrangements were made to secure appointments with key informants for face-to-face interviews. The researcher and assistant coordinated logistical aspects, including scheduling interviews, confirming interview venues, and ensuring the availability of necessary resources. Additionally, provisions were made for virtual interviews to accommodate the preferences or

logistical constraints of key informants. Before commencing each interview, written consent was obtained from participants, highlighting their voluntary participation and rights as participants. Participants were briefed on the study's purpose, procedures, and the confidentiality measures in place to protect their data.

During the interviews, conducted either face-to-face or virtually, the researcher and assistant followed structured or semi-structured interview guides tailored to the study's objectives. Active listening skills and probing techniques were employed to elicit comprehensive responses from participants, ensuring the collection of rich and meaningful data. Throughout the process, strict adherence to ethical standards was maintained, with a focus on participant confidentiality, privacy, and respect. Any ethical concerns or issues that arose during the interviews were promptly addressed, with appropriate measures taken to mitigate risks and uphold the integrity of the research.

3.6 Data Analysis

The data analysis procedure for this study involved a combination of qualitative and quantitative approaches to derive meaningful insights from the collected data. Firstly, data obtained from unstructured interviews, which captured qualitative information related to variables such as information, consultation, involvement, empowerment, and Nairobi County legislation, were transcribed into textual notes. These transcripts were then subjected to a systematic coding process, where key themes, concepts, and patterns within the data were identified and labeled. This coding process facilitated the organization and interpretation of qualitative data.

Simultaneously, quantitative data obtained from ordinal scale measurements using Likert scales in the research instrument were entered into Statistical Package for Social Sciences (SPSS) software version 25 for analysis. Descriptive statistics, such as frequencies, percentages, means, and standard deviations, were computed to summarize the quantitative data and provide an overview of the distribution and central tendency of responses for each variable. These statistical analyses allowed for the quantification and comparison of responses across different categories within each variable.

Throughout the data analysis process, rigorous quality control measures were implemented to ensure the accuracy, reliability, and validity of the findings. The researcher provided oversight for the selection, training, and supervision of the research assistant involved in data collection to maintain consistency and adherence to the study protocol. Data quality control tasks, including data cleaning, validation checks, and verification of transcription accuracy, were conducted during and after the completion of field data collection to identify and rectify any errors or inconsistencies in the data. By employing a systematic and comprehensive approach to data analysis, the study aimed to uncover insights into the relationships between public participation and legislation enacted by the Nairobi County Assembly, contributing to a deeper understanding of the dynamics involved in democratic governance processes.

3.7 Research Quality

External validity of the data collection tool was achieved through piloting of the research tools before administering them to the respondents. The questionnaire was issued to 15 respondents outside the research sample population to measure the effectiveness of the tool and determine the adequacy of the responses in relation to the study questions and objectives. Reliability of data was achieved using test-retest technique to establish consistency of the responses received using the data collection tools.

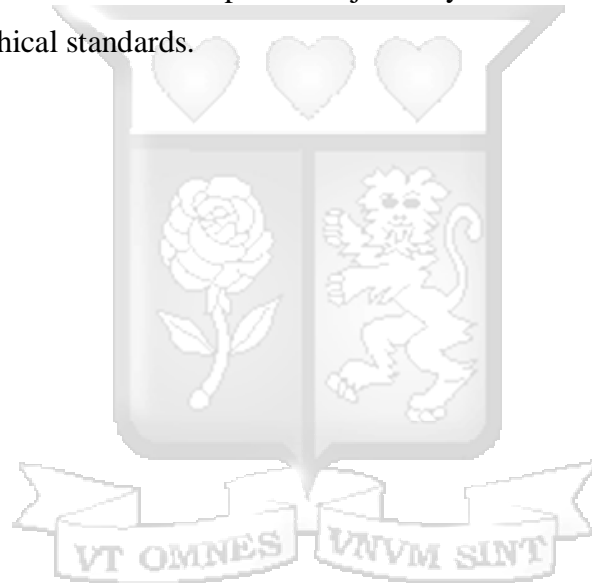
3.7.1 Reliability Test

A semi structured questionnaire was used to collect data from the respondents and the unstructured interview was used to get information from key informants. To guarantee the reliability of the tool, the questionnaire was pretested and measures of each of the five variables adjusted to ensure that the threshold reliability coefficients were achieved. The study used the Cronbach Alpha reliability coefficient to check on the consistency of the questionnaire adopted in this study. The threshold for the reliability score was guided by Cronbach decision rule that an alpha score of 0.7 and above is considered key to the internal consistency of the study tool.

3.8 Ethical Considerations

Clearance for research was obtained from the National Commission for Science, Technology, and Innovation (NACOSTI), as well as Graduate School, Strathmore University. The permission to access Nairobi County Assembly and other offices was sought from the county secretary s as well as the clerk of the county Assembly and the speaker of the county Assembly.

Participants who consented to participate in the research were accorded anonymity and confidentiality to protect them as well as boost confidence to obtain accurate information. This was expressly communicated before conducting the interviews and reduced in writing. All responses were recorded verbatim and reported objectively. The study strictly adhered to the assurances to maintain ethical standards.



CHAPTER 4: PRESENTATION OF RESEARCH FINDINGS

4.0 Introduction

This chapter presents findings derived from the analysis of the data collected. The results are divided into two major sections. The first part presents results of the quantitative analysis of the research specific objectives. The second part presents results from the qualitative study that involved selected key informants who possess knowledge and experience of public participation and the legislative process in Nairobi County.

4.1 Response Rate

The study initially aimed to recruit 364 adult residents of Nairobi aged 20 years and above. However, anticipating potential non-responses, the researcher expanded the target population to 400 individuals. This adjustment was made to ensure a robust sample size for statistical analysis. Out of the expanded sample of 400 residents, 370 successfully participated in the study, resulting in a response rate of 92.5%. This high response rate indicates a significant level of engagement and interest among the targeted population. Increasing the target population from the original 364 respondents to 400 was a proactive measure to address potential non-responses or refusals, thereby maintaining the study's reliability and enhancing its generalizability. By enlarging the sample size, the study can better capture the diversity and nuances within the population, thereby improving the validity of its findings.

The decision to issue 400 questionnaires instead of the initially planned 364 was justified by the anticipation of potential non-responses or refusals from some individuals within the targeted population. It is common in survey research to encounter non-responses, where individuals either choose not to participate or are unavailable to do so. By expanding the target population to 400, the researcher proactively accounted for these potential non-responses, ensuring that an adequate number of completed questionnaires would still be obtained to achieve the desired sample size of 364.

Increasing the target population helped mitigate the risk of falling short of the desired sample size due to non-responses, thereby maintaining the study's reliability and statistical power. A larger

sample size enhances the study's ability to detect meaningful differences or relationships within the data and improves the precision of estimates derived from statistical analyses. Additionally, having a surplus of respondents beyond the intended sample size provides a buffer against unexpected challenges during data collection, such as incomplete or invalid responses, ensuring that the study's objectives can be met effectively.

Furthermore, targeting more respondents (400) increases the study's generalizability by capturing a broader range of perspectives and characteristics within the population of interest. It allows for greater diversity in the sample, which is essential for making more robust and representative conclusions about the target population as a whole. Overall, issuing 400 questionnaires was a prudent strategy to safeguard against potential data collection challenges and to ensure the study's validity, reliability, and generalizability.

4.2 Quantitative Analysis

Quantitative analysis was derived from data collected from randomly selected adult residents of Nairobi who are affected by legislation enacted by the Nairobi County Assembly.

4.2.1 Sociodemographic Characteristics

The target respondents were 364 adults sampled randomly from Mathare, Embakasi East and Langata constituencies. Out of the 400 questionnaires issued, the study managed to get 92.5% (n=370) responses from respondents spread across the targeted constituencies. A proportionate sample based on the targeted sub-counties (constituencies) was used to establish the sample respondents. Mathare subcounty represented 36.5% of the respondents, Langata subcounty was 34.9% and Embakasi East subcounty was 28.6%. Langata had the highest proportion 80.4% of participants who reported public consultation had an impact on legislation in Nairobi County with Mathare representing the highest proportion 45.5% of participants reporting to have no impact on legislation (see table 4.1).

Table 4. 1: Association of sociodemographic factors and public consultation impact on legislation

SOCIODEMOGRAPHIC FACTORS	PUBLIC CONSULTATION IMPACT ON LEGISLATION	
	Yes n (%) n = 102	No n (%) n = 268
Sub – County		
Langata	82 (80.4)	47 (17.5)
Embakasi East	7 (6.9)	99 (36.9)
Mathare	13 (12.7)	122 (45.5)
Age (in Years)		
18 – 24	64 (62.7)	21(7.8)
25 – 34	28 (27.5)	131 (48.9)
35 – 44	10 (9.8)	64 (23.9)
45+	0 (0.0)	52 (19.4)
Gender		
Male	35 (34.3)	99 (36.9)
Female	67 (65.7)	169 (63.1)
Level of Education		
No education	10 (9.8)	44 (16.4)
Primary	14 (13.7)	62 (23.1)
Secondary	26 (25.5)	119 (44.4)
College/University	52 (51.0)	43 (16.0)

Source: Research Data (2023)

Majority of the respondents 43.0% (n = 159) were between the ages of 25 and 34 years followed by respondents 23.0% (n =85) who were between 18 and 24 years with least represented respondents 14.1%(n=52) being 45 years and above (Min = 18 years, Max = 62 years, Mean = 32.76, and SD=10.8). The age group between 18 and 24 years represented the highest proportion (62.7%) of participants reporting public consultation had an impact on legislation (see table 4.1).

The data reveals that respondents aged between 18 and 24 years represented the highest proportion (62.7%) of participants who reported that public consultation had an impact on legislation. This suggests that younger respondents believe that public consultation impacts the outcome of legislation enacted by the Nairobi County Assembly. The finding suggests that there is a positive effect of public involvement in the legislative process among this age group who view public participation positively.

The data reveals that (65.7%) of female respondents believe that public consultation has an impact on legislation compared to male respondents (34.3%). This suggests a gender difference in perceptions regarding the influence of public consultation on legislative processes. It's possible that female respondents may be more inclined to see value in public consultation when it comes to legislation. Additionally, the finding that a significantly higher proportion of female respondents believe that public consultation has an impact on legislation implies that public involvement, at least in the context of consultation, may be more positively viewed by female participants. This suggests that female respondents perceive a stronger connection between public involvement and the legislative process.

The study established that 39.2% (n=145) had attained secondary school education followed by 25.7% (n= 95) of respondents who had attained college/university education. 15.0% of respondents reported that they had no formal education. 51.0% of respondents with at least College/University education reported that public consultation had an impact on legislation enacted by the Nairobi County Assembly. The data shows that 51.0% of respondents with at least College/University education believe that public consultation has an impact on legislation. This suggests that individuals with higher levels of education are more likely to perceive public consultation as influential in the legislative process. In addition, the finding that a higher percentage of respondents with College/University education believe in the impact of public consultation implies that those with more education may feel that public involvement is more effective in influencing legislation. This suggests a positive perception of public involvement among this group.

4.2.2 Extent to Which Access to Information Influences Nairobi County's Legislation

4.2.2.1 Publishing draft policies and bills

Respondents were asked whether the County Government publishes draft policies and bills. 68.1% (n=31.9) reported that the County Government doesn't publish draft policies and bills with 31.9% (n=118) respondents reporting that the County publishes draft policies and bills (see figure 4.5). The data indicates that a significant majority (68.1%) of respondents reported that the County Government doesn't publish draft policies and bills. This suggests that there might be limited

access to such information among the public, which could potentially hinder their ability to stay informed and engage with the legislative process.

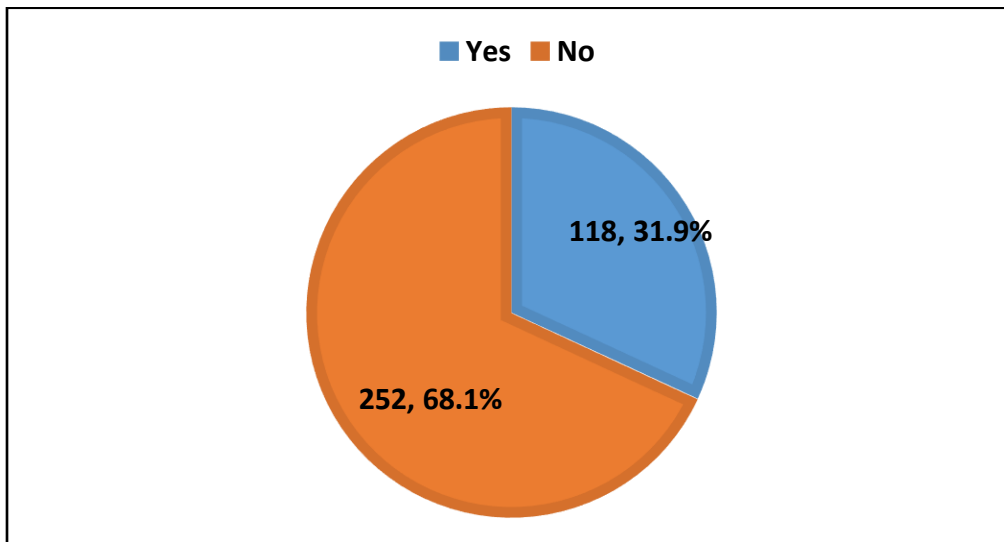


Figure 4. 1: Whether County Government publish draft policies and bills

Source: Research Data (2023)

The finding that only 31.9% of respondents reported that the County Government publishes draft policies and bills could imply that public consultation opportunities may be limited, as access to draft policies and bills is a fundamental aspect of meaningful public consultation. This could potentially impact the ability of the public to engage with and influence legislative decisions. Additionally, the data indirectly suggests that limited publication of draft policies and bills by the County Government might hinder public involvement in the legislative process. If the public doesn't have access to these documents, they may find it challenging to understand and engage with proposed legislation effectively. Moreover, the finding that a significant portion of respondents reported that the County Government doesn't publish draft policies and bills might indicate a lack of empowerment among the public in terms of their ability to participate in the legislative process. When citizens don't have access to essential legislative documents, their capacity to influence legislation can be diminished.

4.2.2.2 Sensitizing residents of Nairobi on the importance of participating in county affairs

Figure 4.6 shows that 89.7% (n=332) of respondents reported that the county Government/civil society representatives do not sensitize residents of Nairobi on the importance of participating in county affairs. 10.3% (n=38) reported that the county Government officials and civil societies sensitize residents of Nairobi on the importance of public participation in Government affairs. The data suggests that there may be a significant lack of awareness among residents regarding the importance of participating in county affairs. Specifically, 89.7% of respondents reported that they have not been sensitized by the county government or civil society on this matter. This lack of sensitization could limit residents' access to essential information about the legislative process and their role in it.

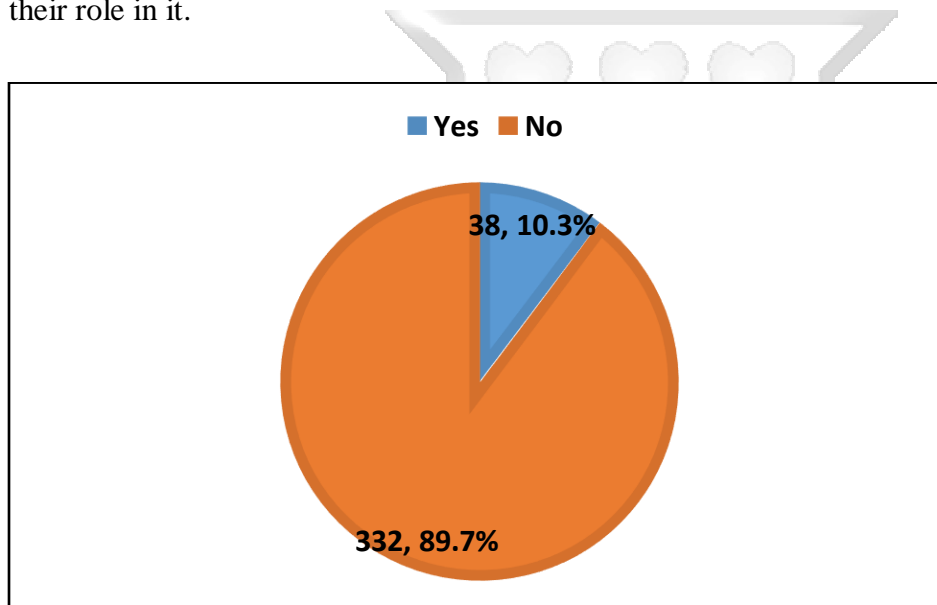


Figure 4. 2: Whether County Government sensitize residents of Nairobi on the importance of participating in county affairs

Source: Research Data (2023)

The finding that only 10.3% of respondents reported being sensitized by county government officials and civil society on the importance of public participation indicates a potential gap in public consultation efforts. Public consultation often starts with awareness and education, and the low level of sensitization suggests that a significant portion of the population may not fully understand the value of their participation in legislative processes. The data strongly implies that public involvement may be limited in Nairobi County due to the lack of sensitization efforts. When

residents are not educated about the importance of their involvement, they may be less likely to actively engage with the legislative process.

4.2.2.3 Analysis of access to information

A structured questionnaire was used to obtain responses from the respondents and a summary of the analysis was presented using means and standard deviation. The following criterion was used in interpreting the mean values; <1.49 = strong disagreement, 1.50-2.49 = disagree, 2.50-3.49 = moderate agreement, 3.50-4.19 = agreement and > 4.20 was strong agreement.

Table 4. 2: Analysis of access to information

	N	Mean	Std. Deviation
a. Civic education			
The public has been educated on the importance of participating in governance	370	2.38	0.831
The public understands the various ways to participate	370	2.06	0.870
The public understands the roles of different actors in public participation	370	2.20	0.734
Did the sensitization program meet your expectations?	71	2.10	0.700
b. Access to information			
The public gets timely information on the county government plans	370	2.14	0.916
There is timely sharing of information to enables the public to participate effectively during public participation forums	370	2.10	0.978
Public participation provides an opportunity for the public to seek clarification on matters that are not clear	370	3.00	0.938
The public receives regular feedback on the outcome of public participation forums	370	2.14	0.917
c. Outreach/Inclusion			
The county government provides sufficient notice for public participation	370	2.34	0.791
The time allocated for public participation is sufficient for the county government to receive public views	370	2.23	0.689
The county Government uses different methods for public participation including social media	370	2.14	0.917
Public participation is conducted in both Kiswahili and English	370	1.90	0.304

Source: Research Data (2023)

(Strongly disagree = 1; disagree = 2; somehow agree = 3; agree = 4; and strongly agree = 5)

Majority of the Respondents revealed disagreement (mean=1.50-2.49) with all the items on access to information which included civic education, access to information, and outreach/inclusion. the respondents who agreed that public participation provides an opportunity for the public to seek clarification on matters that are not clear, moderately agreed accounting for a (mean = 3.00, dev = 0.938) (see table 4.1 above).

The data indicates that the majority of respondents expressed disagreement (mean=1.50-2.49) with items related to access to information, which include civic education, access to information, and outreach/inclusion. This suggests that respondents do not perceive a strong level of access to information or outreach efforts by the government or civil society organizations in Nairobi County. This finding aligns with the idea that access to information may be limited, as discussed in earlier interpretations. In addition, the finding that respondents moderately agreed (mean = 3.00) that public participation provides an opportunity for the public to seek clarification on matters that are not clear suggests that there is a perceived value in public involvement for seeking information and clarification. However, this level of agreement is not particularly strong, and it may indicate that respondents see room for improvement in this aspect of public involvement.

The findings suggest that there may be a gap in access to information and outreach efforts related to public participation in Nairobi County. Respondents generally expressed disagreement with items related to access to information, indicating that they may not feel adequately informed or engaged. However, there is some moderate agreement regarding the value of public participation in seeking clarification, indicating that respondents see potential benefits in involvement for information-seeking purposes. To enhance public participation and empowerment, efforts to improve access to information and outreach may be necessary.

4.2.2.4 Correlation analysis of access to information (civic education, access to information and outreach/inclusion)

Table 4.2 shows that there is a positive correlation of 0.266 between ‘Civic Education’ and ‘Access to Information’ (i.e., as civic education score went up, access to information score went up), and that this relationship was statistically significant at the 0.01 level (p value<0.000). In other words, that means that respondents who had a positive attitude on civic education are more likely to have

a positive perception towards access to information. On the other hand, there is a negative correlation of -0.114 between ‘Civic Education’ and ‘Outreach/Inclusion’ (i.e., as civic education score went up, inclusion score went down), and that this relationship was statistically significant at the 0.05 level (p value<0.029). In other words, that means that respondents who have a positive attitude on civic education are less likely to have a positive perception on outreach/inclusion.

Table 4. 3: Correlation analysis of access to information (Spearman's rho)

		Civic Education	Access Information	toOutreach/ Inclusion
Civic Education	Correlation Coefficient	NA	.266**	-.114*
	Sig. (2-tailed)	.	.000	.029
	N	370	370	370
Access to Information	Correlation Coefficient	.266**	NA	-.014
	Sig. (2-tailed)	.000	.	.786
	N	370	370	370
Outreach/ Inclusion	Correlation Coefficient	-.114*	-.014	NA
	Sig. (2-tailed)	.029	.786	.
	N	370	370	370

***. Correlation is significant at the 0.01 level (2-tailed).*

**. Correlation is significant at the 0.05 level (2-tailed).*

Source: Research Data (2023)

The positive correlation of 0.266 between 'Civic Education' and 'Access to Information' suggests that there is a statistically significant relationship between respondents' positive attitudes toward civic education and their positive perceptions of access to information. This implies that individuals who have a favourable view of civic education are more likely to view access to information positively. In the context of the research objective, this finding implies that improving civic education efforts may lead to a more positive perception of access to information among the public, which can in turn enhance the influence of access to information on legislation.

The negative correlation of -0.114 between 'Civic Education' and 'Outreach/Inclusion' indicates that there is a statistically significant relationship between respondents' positive attitudes toward civic education and their negative perceptions of outreach/inclusion. In other words, individuals with a more positive view of civic education are less likely to have a positive perception of

outreach/inclusion efforts. This suggests that while civic education may have a positive effect on access to information, it may not necessarily translate into a positive perception of outreach and inclusion in public consultation efforts. It could indicate a need for more effective outreach and inclusion strategies to engage individuals who value civic education.

4.2.3 Impact of Public Consultation on Legislation Enacted by the County Assembly

4.2.3.1 Public Consultation Impact Legislation in Nairobi County

The respondents were asked whether public consultation impacts legislation in Nairobi County. Figure 4.7 shows that most of the respondents 72.4% (n=268) reported that public consultation does not impact legislation in Nairobi County with 27.6% (n=102) respondents saying it does have an impact on legislation. The data suggests that the majority of respondents (72.4%) believe that public consultation does not impact legislation in Nairobi County. This finding implies that a significant portion of the respondents may have a negative perception regarding the influence of public consultation on legislative outcomes. It may indicate that they do not see access to information or public participation as having a substantial impact on the legislative process.

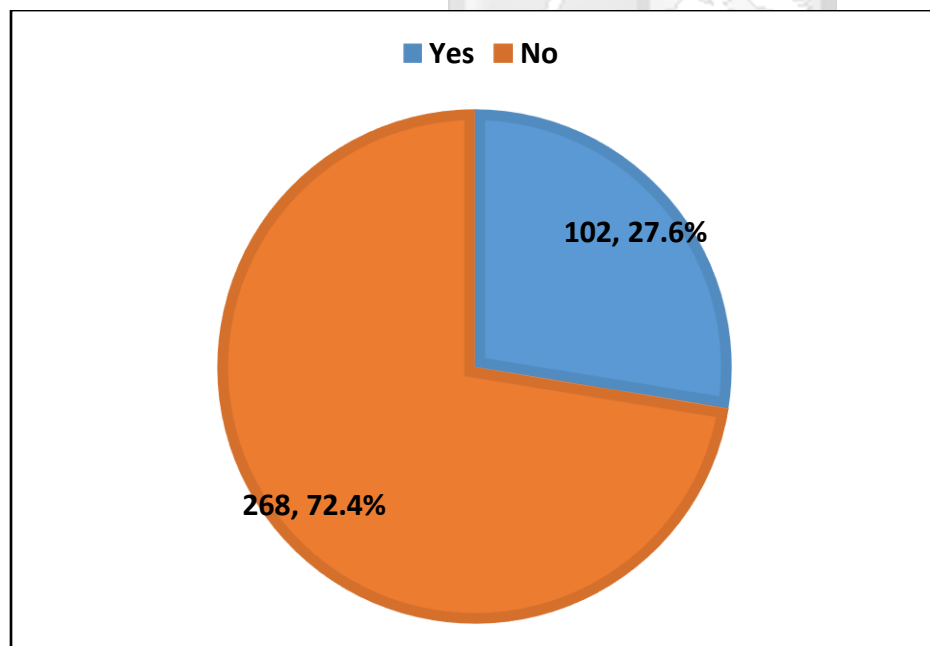


Figure 4. 3: Whether public consultation impact legislation in Nairobi County

Source: Research Data (2023)

The fact that 27.6% of respondents reported that public consultation does have an impact on legislation suggests that there is a subset of the population who believe in the importance and effectiveness of public consultation in influencing legislative decisions. This finding highlights a diversity of views within the respondent group, with some individuals seeing public consultation as meaningful in the legislative process. Additionally, the data does not directly address public empowerment but suggests that a significant proportion of respondents do not feel that public consultation empowers them to influence legislation. This finding highlights a potential disconnect between the public and the legislative process in terms of empowerment and influence.

4.2.3.2 Extent public consultation impact legislation in Nairobi County

For the respondents who answered yes, to whether public consultation impact legislation in Nairobi County. They were further asked to what extent does public consultation impact legislation in Nairobi County. Figure 4,8 shows that the responses varied, with 47.1% respondents saying that public consultation impact legislation to a large extent, and 32.4% respondents saying that public consultation impact legislation to a small extent.

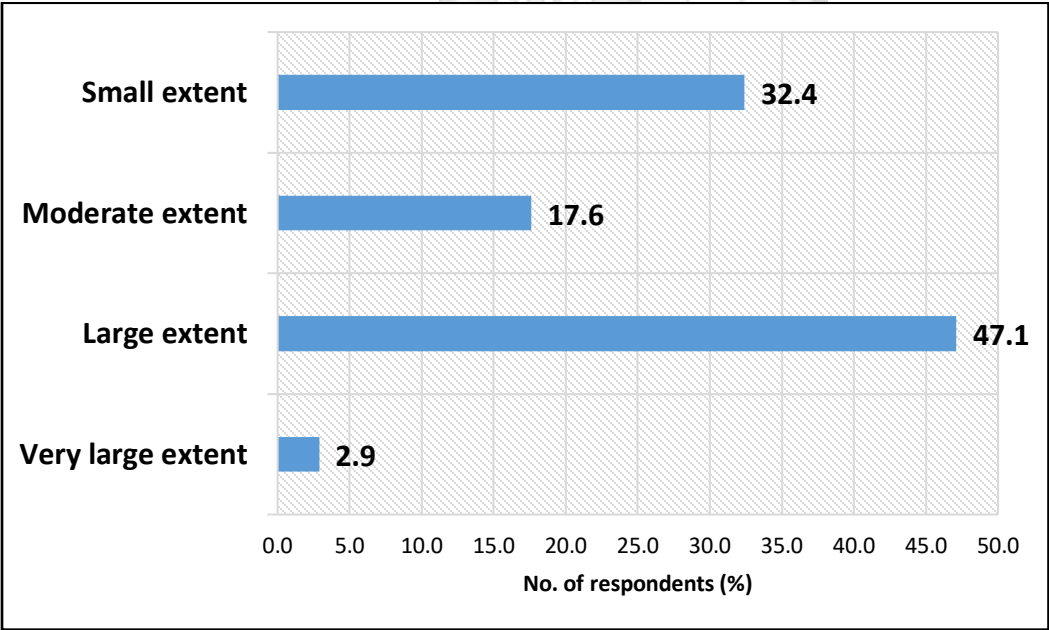


Figure 4. 4: Extent to which public consultation impact legislation in Nairobi County
Source: Research Data (2023)

The data suggests that among those respondents who believe that public consultation impacts legislation, a significant portion (47.1%) feel that it impacts legislation to a large extent. This indicates that a substantial subgroup of respondents views public consultation as having a substantial influence on legislative outcomes. This finding suggests that access to information and participation may play a significant role in shaping legislative decisions for this group. The 32.4% of respondents who believe that public consultation impacts legislation to a small extent may indicate a more reserved or cautious view of the effectiveness of public consultation. While they acknowledge some impact, it is perceived as relatively limited. This subgroup's perspective could be influenced by various factors, including their experiences with public consultation processes.

4.2.3.3 Analysis of public consultation

A structured questionnaire was used to obtain responses from the respondents and the summary of the analysis was represented using means and standard deviation. The following criterion was used in interpreting the mean values; <1.49 = strong disagreement, 1.50-2.49 = disagree, 2.50-3.49 = moderate agreement, 3.50-4.19 = agreement and > 4.20 was strong agreement.

Respondents revealed disagreement (mean=1.50-2.49) to 'public consultation provides a platform in which the public presents their concerns, and decision-making becomes more representative' and 'during consultations, residents offer their views on what should form part of the policies, laws, and development plans.' However, on 'public consultation gives the public an opportunity to critically engage in the social, political, cultural, economic, and environmental impact of policies, laws, and development plans,' respondents showed an agreement (mean = 3.50, dev = 0.893) (see table 4.3).

The data suggests that respondents generally expressed disagreement (mean=1.50-2.49) with the statements "public consultation provides a platform in which the public presents their concerns, and decision-making becomes more representative" and "during consultations, residents offer their views on what should form part of the policies, laws, and development plans." This indicates that there is a lack of consensus or scepticism among respondents regarding the effectiveness of public consultation in making decision-making more representative or in shaping policy, laws, and development plans.

The findings further suggest that respondents are not in strong agreement with the idea that public consultation leads to more representative decision-making or that it effectively involves residents in shaping policies and laws. This could imply that respondents may not see a direct and significant impact of public consultation on the legislative process in Nairobi County.

Table 4. 4: Analysis of public consultation

	N	Mean	Std. Deviation
a. Consultation			
Public consultation provides a platform in which the public presents their concerns, and decision-making becomes more representative	370	2.74	0.850
During consultations, Residents offer their views on what should form part of the policies, laws, and development plans	370	2.79	0.880
Public consultation legitimizes legislation, policy formulation and implementation processes	370	3.10	1.192
b. Building Consensus			
Public consultation helps alleviate social conflicts, by taking care of the interests of different stakeholders and building consensus	370	3.18	0.922
Public consultation gives the public an opportunity to critically engage in the social, political, cultural, economic, and environmental impact of policies, laws, and development plans	370	3.50	0.893
Investment in public consultation at an early stage helps diagnose the root cause of problems and solutions thereof. Minimizes the magnitude of social conflicts arising over the course of the implementation of policies, laws, and development plans	370	3.29	0.967
Public consultation ensures that legislation meets constitutional thresholds and hence not subjected to unnecessary litigation	370	3.27	1.100

Source: Research Data (2023)

(Strongly disagree = 1; disagree = 2; somehow agree = 3; agree = 4; and strongly agree = 5)

On the statement "public consultation gives the public an opportunity to engage in socio-political, cultural, economic, and environmental impact of policies and laws. Respondents showed agreement (mean = 3.50). This indicates that respondents perceive public consultation as providing an opportunity for them to critically engage with the broader implications of policies, laws, and

development plans. It suggests that respondents may see value in the process for fostering a deeper understanding of these issues, even if they are skeptical about its direct impact on decision-making.

In summary, the findings indicate that respondents have varying levels of agreement and disagreement with different aspects of public consultation in Nairobi County. They appear to perceive public consultation as a valuable opportunity for critical engagement and understanding of policy impacts, but they are less convinced about its direct influence on decision-making and representation in the legislative process. These findings highlight the complexity of public perceptions of public consultation and suggest potential areas for improvement in communication and engagement efforts to enhance the effectiveness and credibility of such processes in the county.

4.2.3.4 Correlation analysis of public consultation

Table 4.4 shows that there is a negative correlation of -0.488 between ‘Does public consultation impact legislation?’ and ‘Consultation’, and that this relationship was statistically significant at the .001 level (p value <0.000). There is also a negative correlation of -0.209 between ‘Does public consultation impact legislation?’ and ‘consensus,’ and that this relationship was statistically significant at the .001 level (p value <0.000). There is a positive correlation of 0.417 between ‘Consultation’ and ‘Consensus’ (i.e., consultation score went up, consensus score went up), and that this relationship was statistically significant at the .001 level (p-value <0.000).

The negative correlation of -0.488 between 'Does public consultation impact legislation?' and 'Consultation' suggests a statistically significant relationship between respondents' perceptions of whether public consultation impacts legislation and their views on the level of consultation taking place. This negative correlation implies that, generally, respondents who believe that public consultation impacts legislation are less likely to rate the level of consultation highly. In other words, those who see more consultation taking place may not necessarily believe that it translates into a significant impact on legislation.

Table 4. 5: Correlation analysis of public consultation (Spearman's rho)

Does public consultation impact legislation?	Consultation	Consensus
	n	s

Does public consultation impact legislation?	Correlation Coefficient	NA	-.488**	-.209**
	Sig. (2-tailed)	.	.000	.000
	N	370	370	370
Consultation	Correlation Coefficient	-.488**	NA	.417**
	Sig. (2-tailed)	.000	.	.000
	N	370	370	370
Consensus	Correlation Coefficient	-.209**	.417**	NA
	Sig. (2-tailed)	.000	.000	.
	N	370	370	370

** . Correlation is significant at the 0.01 level (2-tailed).

Source: Research Data (2023)

The negative correlation of -0.209 between 'Does public consultation impact legislation?' and 'Consensus' indicates a statistically significant relationship between respondents' perceptions of the impact of public consultation on legislation and their views on consensus-building during consultations. This suggests that those who believe that public consultation has a more significant impact on legislation are less likely to perceive a strong consensus during consultation processes.

The positive correlation of 0.417 between 'Consultation' and 'Consensus' highlights a statistically significant relationship between respondents' perceptions of the level of consultation and their perceptions of consensus-building during consultations. This suggests that respondents tend to associate higher levels of consultation with stronger consensus-building. It indicates that when respondents perceive more extensive consultation efforts, they are more likely to believe that consensus is being reached during these processes.

In summary, the findings suggest complex relationships among respondents' perceptions of public consultation, its impact on legislation, and the level of consensus during consultations. Respondents who believe that public consultation has a significant impact on legislation may also perceive less consensus during consultations. Conversely, higher levels of perceived consultation are associated with a stronger perception of consensus-building. These findings suggest that there may be nuances in how the public views the relationship between consultation, consensus, and legislative impact. Further research and analysis may be needed to understand the reasons behind

these correlations and their implications for the effectiveness of public participation in shaping legislation in Nairobi County.

4.2.4 Effect of Public Involvement on Legislation Enacted by the County Assembly

4.2.4.1 Involved in any public participation forum in Nairobi County

Figure 4.9 shows that 72.2% (n=267) reported that they have never been involved in any public participation forum in Nairobi County with only 27.8% (n=103) of respondents reporting they have been involved in a public participation forum. This suggests a lack of active engagement among the majority of respondents in public participation forums. It may indicate limited access to information or awareness about these forums, as individuals who are not aware of such opportunities are less likely to participate.

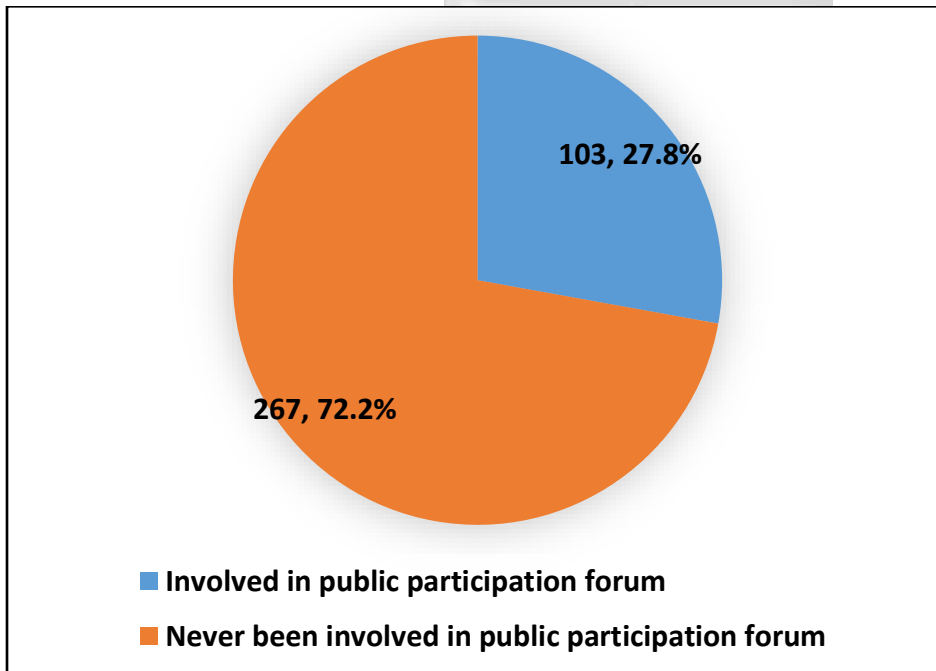


Figure 4. 5: Involved in any public participation forum in Nairobi County

Source: Research Data (2023)

The near-even split between those who agree and disagree regarding the influence of public involvement on compliance suggests that respondents have varying perspectives on the effectiveness of public consultation in ensuring that legislation is adhered to. Some believe that

public involvement plays a role in promoting compliance, while others may be less convinced of its impact.

4.2.4.2 Citizens views are considered by the county government representatives

Respondents were asked whether their views were considered by the county government representatives. For the respondents who were involved in at least one public participation forum, 59.2% (n=61) of respondents reported that their views were considered by the county government representatives. 40.8% (n=42) respondents reported that their views were not considered (figure 4.10). This finding suggests that, for a significant portion of participants, there is a perceived level of responsiveness and consideration of their views by county government representatives. This may indicate that access to information and engagement efforts have had a positive impact on their perception of being heard and considered.

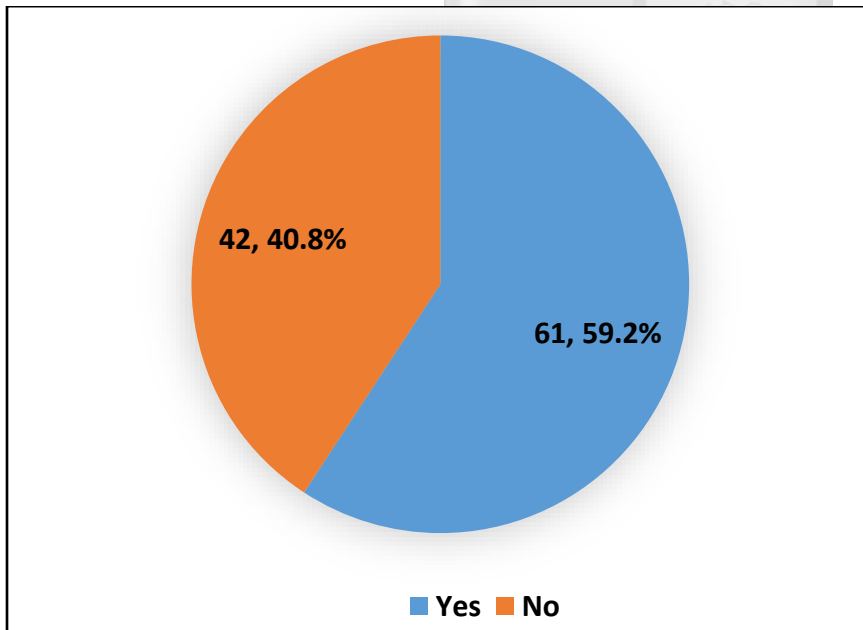


Figure 4. 6: Whether views were considered by the county government representatives

Source: Research Data (2023)

The fact that 40.8% of respondents reported that their views were not considered indicates that there is a significant portion of participants who feel that their input was not taken into account by county government representatives. This implies that while some respondents have positive experiences with public consultation, there are others who believe that the impact of their

participation has been limited or ineffective in shaping legislation. The findings also suggest a diversity of experiences and perceptions among respondents who participated in public participation forums. While many reported having their views considered, a substantial minority felt that their input was not considered. This highlights the variability in the level of public involvement and impact on legislation within Nairobi County.

4.2.4.3 Public involvement influencing compliance with legislation

Figure 4.11 shows that the view of the respondents was almost divided into two equal groups, those who agreed that public involvement influence compliance with legislation enacted by Nairobi County were 51.6% respondents, and those who felt public involvement did not influence compliance were 48.4% respondents. The data indicates that there is no clear consensus among respondents on whether public involvement influences compliance with legislation in Nairobi County. This finding implies that the role of access to information and public involvement in influencing compliance is a topic on which opinions are divided.

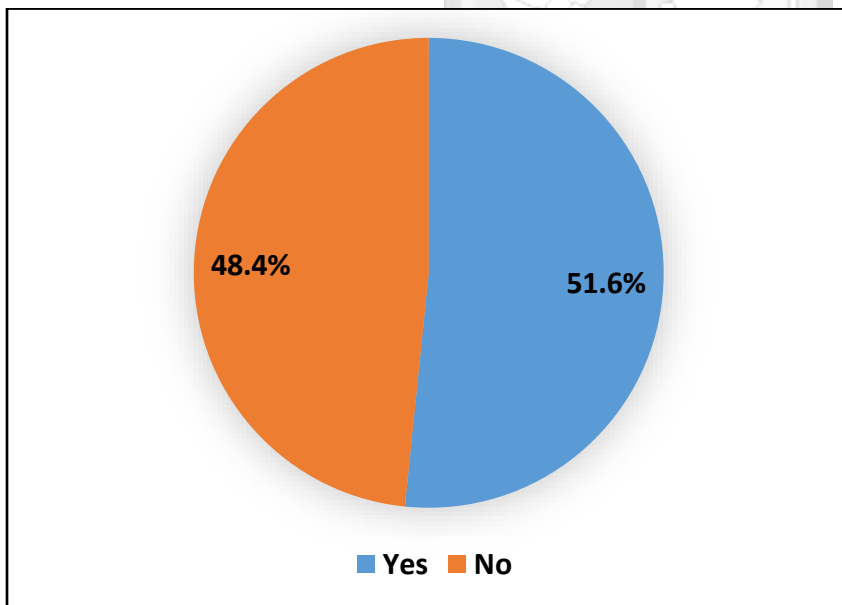


Figure 4. 7: Whether public involvement influence compliance with legislation enacted by Nairobi County

Source: Research Data (2023)

In summary, the findings suggest that there is no clear consensus among respondents regarding whether public involvement influences compliance with legislation in Nairobi County. The nearly equal division of views reflects the diversity of perspectives on the effectiveness of public participation efforts. This implies that further research and analysis may be needed to understand the reasons behind these differing views and to identify potential areas for improving public participation strategies to enhance compliance with legislation in the county.

4.2.4.4 Analysis of public involvement

A structured questionnaire was used to obtain responses from the respondents and a summary of the analysis was presented using means and standard deviation. The following criterion was used in interpreting the mean values; <1.49 = strong disagreement, $1.50-2.49$ = disagree, $2.50-3.49$ = moderate agreement, $3.50-4.19$ = agreement and > 4.20 was strong agreement.

Respondents revealed disagreement (mean= $1.50-2.49$) with all the items on stakeholder identification and public meeting. For knowledge sharing items respondents suggested moderate agreement (mean= $2.50-3.49$) with all the variables including “public involvement provides additional skills, knowledge, views, and ideas that might have been overlooked from the onset;” “gives residents an opportunity to understand the provisions of a given piece of legislation;” and “public involvement gives the public an opportunity to study draft policies, bills and implementation plans and provide input hence a sense of ownership” (mean = 2.67, dev = 1.176; mean = 2.94, dev = 1.048; and mean = 2.58, dev = 0.996, respectively) (see table 4.5).

The data indicates that respondents generally expressed disagreement (mean= $1.50-2.49$) with items related to stakeholder identification and public meetings. This suggests that respondents may have reservations or skepticism regarding the effectiveness of these aspects of public participation in influencing Nairobi County's legislation. It may imply that they do not see these processes as particularly informative or impactful in the legislative context. Additionally, the moderate agreement on knowledge-sharing items suggests that respondents may believe that public involvement has the potential to enhance the quality of legislation by bringing in additional insights and a deeper understanding of legislative content. This aligns with the idea that involving the public can lead to more informed and well-crafted legislation.

Table 4. 6: Analysis of public involvement

	N	Mean	Std. Deviation
a. Stakeholder Identification			
The county government map out and classify stakeholders	370	1.66	0.896
The county government sends targeted invites those directly affected by a decision to participate in forums	370	2.26	0.818
The county government has a stakeholder identification criterion	370	1.83	0.909
b. Public Meetings			
The county Governments identifies convenient venue and timings for the public participation forums	370	2.01	0.758
The public has sufficient time to objectively communicate their concerns and ideas without fear or favour	370	2.11	0.964
Residents get an opportunity to identify and communicate their needs and priorities during forums organized by the county Government	370	2.02	0.940
Public forums bring large and diverse groups of people together at a short notice	370	1.76	1.118
c. Knowledge Sharing			
Public involvement provides additional skills, knowledge, views, and ideas that might have been overlooked from the onset	370	2.67	1.176
Gives residents an opportunity to understand the provisions of a given piece of legislation	370	2.94	1.048
Public involvement gives the public an opportunity to study draft policies, bills and implementation plans and provide input hence a sense of ownership	370	2.58	0.996

Source: Research Data (2023)

(No extent at all = 1; small extent = 2; moderate extent = 3; large extent = 4; and very large extent = 5)

4.2.4.5 Correlation analysis of public involvement (stakeholder identification, meeting public and knowledge sharing)

Table 4.6 shows that there is a positive correlation of 0.114 between ‘stakeholder identification’ and ‘meeting public’ (i.e., as stakeholder identification score went up, meeting public score went up), and that this relationship was statistically significant at the 0.05 level (p value <0.028). In other words, that means that respondents who had a positive perception about stakeholder identification are more likely to have a positive perception towards meeting public. On the other

hand, there is a negative correlation of -0.243 between ‘meeting public’ and ‘knowledge sharing’ (i.e., as meeting public score went up, knowledge sharing score went down), and that this relationship was statistically significant at the 0.01 level (p value<0.000). In other words, that means that respondents who prefer a public meeting are less likely to have a positive perception on knowledge sharing.

The correlations highlight the interconnectedness of different elements within public involvement. Positive stakeholder identification seems to be linked with positive perceptions of public meetings. However, there appears to be a trade-off between the preference for public meetings and perceptions of knowledge sharing, suggesting that different methods of public involvement may have different strengths and weaknesses in the eyes of respondents.

Table 4. 7: Correlation analysis of public involvement (Spearman's rho)

		Stakeholder identification	Meeting public	Knowledge sharing
Stakeholder identification	Correlation Coefficient	NA	.114*	.006
	Sig. (2-tailed)	.	.028	.912
	N	370	370	370
Meeting public	Correlation Coefficient	.114*	NA	-.243**
	Sig. (2-tailed)	.028	.	.000
	N	370	370	370
Knowledge sharing	Correlation Coefficient	.006	-.243**	NA
	Sig. (2-tailed)	.912	.000	.
	N	370	370	370

*. Correlation is significant at the 0.05 level (2-tailed).

**. Correlation is significant at the 0.01 level (2-tailed).

Source: Research Data (2023)

4.2.5 Effect of Public Empowerment on Legislation Enacted by the County Assembly

4.2.5.1 Feedback and reporting mechanisms

Figure 4.12 shows that an overwhelming majority of the respondents (81.6%) reported that the county government does not have in place feedback and reporting mechanisms with only 18.4% respondents reporting that the county government have in place feedback and reporting

mechanisms. The overall pattern of responses indicates that, in the eyes of the majority of respondents, there is a lack of feedback and reporting mechanisms within the county government. This implies that there may be limited opportunities for residents to actively engage in the legislative process and for the government to be transparent and accountable to the public.

The findings highlight a significant gap in the presence of feedback and reporting mechanisms within the county government of Nairobi County. The overwhelming majority of respondents perceive the absence of such mechanisms, which may have implications for public participation, transparency, and accountability in the legislative process. To address the objectives of increased public involvement and empowerment, efforts may be needed to establish and promote effective feedback and reporting mechanisms to facilitate communication between the government and its citizens in Nairobi County.

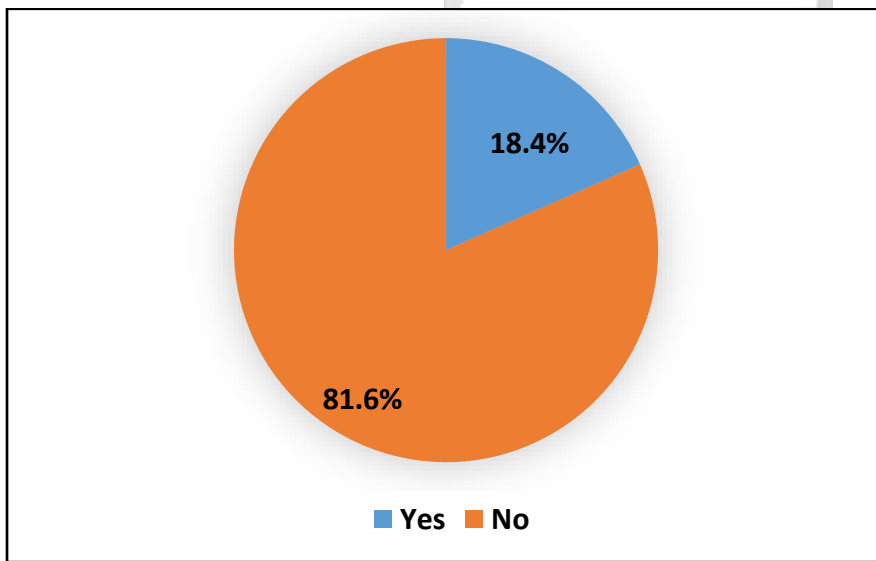


Figure 4. 8: Whether County government have in place feedback and reporting mechanisms

Source: Research Data (2023)

4.2.5.2 Analysis of public empowerment

A structured questionnaire was used to obtain responses from the participants and the summary of the analysis was presented using means and standard deviation. The following criterion was used in interpreting the mean values; <1.49 = strong disagreement, 1.50-2.49 = disagree, 2.50-3.49 = moderate agreement, 3.50-4.19 = agreement and > 4.20 was strong agreement.

On implementing people's decision variables, respondents revealed moderate agreement (mean=2.50-3.49) on laws passed are reflective of the public's views and hence easy to implement; empowers public by placing final decision-making authority in their hands; and public participation ensures that legislation complies with constitutional provisions. Respondents revealed disagreement (mean = 2.44, dev = 1.086) on policies, laws, and development plans enacted are robust and acceptable to the people, and respondents revealed agreement (mean = 3.94, dev = 1.143) on public views influence the outcome of legislation (see table 4.7).

The high level of agreement on the statement that "public views influence the outcome of legislation" indicates that respondents believe that public participation has a direct impact on legislative outcomes. This suggests a sense of empowerment among respondents, as they perceive their input as influential in shaping legislation.

Table 4. 8: Analysis of public empowerment

	N	Mean	Std. Deviation
a. Implement People's Decision			
Laws passed are reflective of the public's views and hence easy to implement	370	2.56	0.973
Policies, laws, and development plans enacted are robust and acceptable to the people	370	2.44	1.086
Empowers public by placing final decision-making authority in their hands	370	2.57	1.026
Public participation ensures that legislation complies with constitutional provisions	370	2.88	1.237
Public views influence the outcome of legislation	370	3.94	1.143
b. Feedback			
Public empowerment provides an opportunity for the public to seek clarification on matters that are not clear	370	3.18	1.270
Provides an opportunity for the public to give feedback on alternatives or government decisions	370	2.38	1.071
The public empowerment receives regular feedback on the outcome of public participation forums	370	2.67	1.041
There is increased compliance where there was public participation in the legislative process	370	3.33	1.194

Source: Research Data (2023)

(Strongly disagree = 1; disagree = 2; somehow agree = 3; agree = 4; and strongly agree = 5)

On feedback variables, respondents revealed moderate agreement (mean=2.50-3.49) on public empowerment provides an opportunity for the public to seek clarification on matters that are not clear; public empowerment receives regular feedback on the outcome of public participation forums; and there is increased compliance where there was public participation in the legislative process. Respondents revealed disagreement (mean = 2.38, dev = 1.071) on provides an opportunity for the public to give feedback on alternatives or government decisions (see table 4.7). The data indirectly suggests that respondents believe feedback mechanisms empower the public by providing opportunities to seek clarification and receive information. The agreement on increased compliance where there was public participation indicates that respondents see feedback as a means to ensure that legislative outcomes align with public input.

In summary, the findings suggest that respondents generally see value in public participation and feedback mechanisms in influencing legislative processes in Nairobi County. They believe that public involvement can lead to legislation that aligns with public views and legal requirements. However, there may be skepticism about the robustness and acceptability of legislative outcomes. While feedback mechanisms are seen as important for seeking clarification, receiving regular feedback, and promoting compliance, there may be perceived limitations in providing feedback on alternatives or government decisions. These findings underscore the importance of effective public participation and feedback mechanisms in shaping legislative processes and outcomes while addressing potential areas for improvement.

4.2.5.3 Correlation analysis of public empowerment (having in place feedback and reporting mechanisms, implementing people's decision; and feedback)

Table 4.8 shows that there is a positive correlation of 0.304 between 'implementing people's decision' and 'feedback' (i.e., as implementing people's decision score went up, feedback score went up), and that this relationship was statistically significant at the 0.01 level (p value <0.000). In other words, that means that respondents who had a positive perception about implementing people's decision are more likely to have a positive perception towards feedback. The positive correlation implies that respondents who feel empowered by the implementation of their decisions are more likely to appreciate feedback as a means to enhance communication and accountability in the legislative process.

The findings highlight a positive and statistically significant relationship between respondents' perceptions of implementing people's decisions and their perceptions of feedback mechanisms. This suggests that those who believe their input is effectively considered and implemented in the legislative process are more likely to value and appreciate feedback as a crucial element of public participation. These findings underscore the interconnectedness of these aspects in the context of public involvement and suggest that enhancing both the implementation of public decisions and feedback mechanisms can contribute to more effective public participation in shaping legislation in Nairobi County.

Table 4. 9: Correlation analysis of public empowerment (Spearman's rho)

		Having in place feedback & reporting mechanisms	Implement people's decision	Feedback
Having in place feedback & reporting mechanisms	Correlation Coefficient	NA	.055	.053
	Sig. (2-tailed)	.	.293	.313
	N	370	370	370
Implement people's decision	Correlation Coefficient	.055	NA	.304**
	Sig. (2-tailed)	.293	.	.000
	N	370	370	370
Feedback	Correlation Coefficient	.053	.304**	NA
	Sig. (2-tailed)	.313	.000	.
	N	370	370	370

** . Correlation is significant at the 0.01 level (2-tailed).

Source: Research Data (2023)



4.3 Qualitative Analysis

4.3.1 Introduction

Qualitative analysis was derived from data collected from purposeful selected key informants who are involved in the legislative process and tasked with organizing and facilitating public participation in Nairobi County. These included MCAs, participating civil societies, county executive members, chief officers, executive directors, local leaders, and the County assembly leadership (e.g., the Speaker, clerk, and chairpersons of various committees) (see Table 4.10).

In this section, the researcher used thematic analysis to analyze the qualitative data which involved reading through the set of data collected from the key informants and identified patterns in the data

to find themes. This was an active process of reflexivity in which the researcher's subjective experience was at the centre of making sense of the data.

Table 4. 10: Socio-demographic characteristics of the Key Informants

Variable	Category	Frequency
Designation	Elected MCAs	8
	Participating civil societies	3
	County executive members	3
	Chief officers	4
	Executive directors	4
	County assembly leadership	3
Age (in Years)	18 – 34	8
	35 – 49	11
	50 – 60	6
Educational level	Completed secondary	3
	Technical College	10
	University	12
Gender	Male	16
	Female	9

Source: Research Data (2023)

Qualitative analysis was chosen as the method for analyzing the data collected from key informants involved in the legislative process and public participation in Nairobi County for several reasons. Firstly, it offers a depth of understanding that other methods may not achieve. By allowing for a nuanced exploration of the perspectives, experiences, and perceptions of the key informants, qualitative analysis enables the researcher to delve into the intricacies of their responses and gain a rich understanding of the issues at hand.

Secondly, public participation in the law making process is inherently complex, influenced by various factors such as socio-cultural context, power dynamics, and institutional structures. Qualitative analysis is well-suited to capture this complexity and provide insights into the multifaceted nature of the phenomenon. It allows for the exploration of the underlying dynamics and relationships that shape public participation in Nairobi County.

Moreover, qualitative analysis facilitates a contextual understanding of the phenomenon. It enables the researcher to explore the unique context of Nairobi County, including its political, social, and economic dynamics. By contextualizing the findings within the specific environment in which public participation takes place, qualitative analysis helps to illuminate the factors that influence the effectiveness and outcomes of public participation initiatives.

Additionally, qualitative analysis offers flexibility in data collection and interpretation. This flexibility allows the researcher to adapt the approach based on the emerging themes and insights from the data. It enables the exploration of complex and dynamic phenomena such as public participation in a way that is responsive to the evolving nature of the research process.

Finally, qualitative analysis acknowledges the subjective experience of both the researcher and the key informants. It recognizes that meaning is socially constructed and shaped by individual perspectives, allowing for a more nuanced interpretation of the data. By embracing subjectivity, qualitative analysis enhances the validity and authenticity of the findings, capturing the diverse voices and perspectives of those involved in public participation in Nairobi County.

Overall, qualitative analysis was chosen to provide a comprehensive and in-depth understanding of public participation in the law making process in Nairobi County. By leveraging its strengths in exploring complexity, context, flexibility, and subjectivity, qualitative analysis helps to shed light on the dynamics of public participation and inform strategies for enhancing its effectiveness and impact.

4.3.2 Extent to Which Access to Information Influences Nairobi County's legislation

The objective of this thematic analysis was to examine the extent to which access to information influences Nairobi County's legislation. Several themes and subthemes were established through conducting interviews with the key informants.

4.3.2.1 Notice for Public Participation

The analysis reveals that ideally the Nairobi County executive and the county authorities are expected to provide sufficient notice for public participation in policy development and legislative

processes. Notices are expected to be published well in advance, allowing citizens to adequately prepare and participate effectively. However, the study established that sometimes the county is expected to issue public notices through local newspapers, online platforms, and community notice boards, but they fail to do so. The lack of providing timelines for the publication and subsequent distribution of public participation notices hinders information reaching a wide audience within a reasonable timeframe.

The study also highlights the use of multiple communication channels by the Nairobi County executive to provide public participation notices. Recognizing the diverse information needs of the population, the county employs various channels to disseminate information on upcoming public participation opportunities. These channels include official websites, social media platforms, radio broadcasts, and physical notices posted in prominent locations such as the county social halls across the sub-counties. By utilizing multiple channels, the county aims to reach a wider range of citizens, ensuring inclusivity and accessibility.

Though utilizing multiple channels is important, the analysis found that there is no proper engagement of stakeholder networks in public participation notice. Some of the key informants, recognized the importance of involving different stakeholders in decision-making processes. However, they were quick to admit that there was no broad participation, and the County does not have sufficient mechanism for collaborating with different stakeholders such as civil society organizations, community leaders, professional associations, and other relevant networks. It is only through these partnerships, that the county can expand its reach and enhance the dissemination of public participation notices. More so, stakeholder networks play an important role in promoting awareness and motivating citizens to actively engage in the county's decision-making processes.

The thematic analysis indicates that the Nairobi County executive and the county authorities generally lack in providing sufficient notice for public participation. There is no sufficient timeliness of notices and distribution of such notices, lack of utilization of multiple communication channels, and lack of engagement of stakeholder networks. By improving these practices, the County is likely to enhance transparency, accountability, and citizen engagement in Nairobi's legislation process.

4.3.2.2 Outreach and Inclusion Program for Creating Awareness

The sub-theme that emerges here is the Nairobi County government's focus on public awareness initiatives. The study established that the county government actively engages in outreach programs to attempt to educate and inform citizens about the importance of public participation in legislation. These initiatives aim to raise awareness of citizens' rights, the legislative process, and how their participation can influence decision-making. The County has managed to organize several social hall meetings, public forums, workshops, and awareness campaigns to disseminate information and foster a culture of active citizenship.

For instance, one of the key informants stipulated that:

‘During the years, Nairobi County has collaborated with several local community-based organizations and NGOs to conduct public awareness campaigns on public participation. These campaigns involved distributing informational materials, conducting educational sessions, and organizing interactive events to engage citizens directly.’

The study also established that Nairobi County government's put some efforts to engage specific stakeholders through outreach programs. However, it is important to note that most of the outreach programs fail to recognize the diversity of stakeholders with a vested interest in legislation and does not address the issue of targeting different groups such as the youth and women. Failure to do this, the approach comes short of ensuring that relevant information reaches specific audiences and encourages active participation. Therefore, it is imperative for the county government to promote targeted outreach programs for youth, women's groups, professional associations, and marginalized communities.

The thematic analysis indicated that the Nairobi County government tries to be actively involved in outreach programs that create awareness of public participation in legislation. Though the county government strives to promote active citizen engagement and enhance public participation in legislative processes, outreach programs are not sufficient in playing a significant role in empowering citizens to participate in legislation making.

4.3.3 Impact of Public Consultation on Legislation Enacted by the County Assembly

The objective of this thematic analysis was to examine the impact of public consultation on legislation enacted by the county assembly. Several themes and sub-themes were established through conducting interviews with the key informants.

4.3.3.1 Consultative Forums

This theme emphasizes on the importance of providing clear and accessible information during consultative forums. Study findings evidenced that the Nairobi County Government recognizes that effective public participation requires citizens to have access to relevant information about the policies or bills under consideration. However, it was established that the County government poorly employs various strategies to share information, such strategies included documents that explain the purpose, content, and potential impacts of the proposals. It is important to recognize that there is always room for improvement, the Nairobi County executive should therefore actively seek feedback from the public regarding the effectiveness of the consultive forums. Through ongoing evaluation and refinement, the Nairobi County will be able to enhance consultation and maximize participation in decision-making processes.

The analysis also highlights the use of facilitated discussions and group activities during consultative forums. It was established that the Nairobi County Government does not promote interactive engagement and fails to employ facilitators or moderators to guide these discussions. In addition, group activities, such as brainstorming sessions, breakout groups, or workshops, are poorly conducted and fails to generate diverse perspectives. For instance, it was found that facilitators are not well qualified to provide guidance and structure to the discussions, thus failing to ensure that all participants particularly the youth and women, have an opportunity to contribute their ideas. This further hinders opportunities for public participants to provide feedback, suggestions, and recommendations regarding the policies or bills.

To explain some of the challenges experienced during consultative forums one of the County executive members stated that:

“At a consultative forum, the county government fails to allocate enough time for open mic sessions where the public can directly share their views and suggestions with the larger audience. Feedback forms are not widely distributed and fail to reach the diverse population of Nairobi; a very small number of the population are therefore reached to provide written input. And the county lacks online platforms or dedicated email addresses set up to collect feedback from those unable to attend in person.”

Overall, the thematic analysis indicates that the Nairobi County Government does not conduct consultative forums in a manner that promotes inclusive and meaningful public participation. There are challenges in formulating appropriate strategies to engaging diverse stakeholders, providing accessible information, facilitating discussions and group activities, incorporating feedback mechanisms, and ensuring transparency through documentation. The county government needs to prioritize and create an environment that encourages citizen engagement in the legislative process.

4.3.3.2 Engaging in Policies, Laws, and Development Plans

The thematic analysis focuses on public consultation to address the social impacts of policies, laws, and development plans. There are no special structures in place that recognizes the identification of potential social implications and that enable citizens to voice their concerns and suggestions. By failing to widely involve the public, the county fails to ensure that policies and legislation consider and mitigate any adverse social effects. For instance, it is an expectation that the County organizes public forums such as focus group discussions at least in every quarter per year to specifically address the social impacts. However, the County rarely organize focus group discussions or public forums that can assist in developing a new policy, law, or development plan. The lack of extensive consultations prohibits citizens to share their experiences, concerns, and recommendations regarding the potential social consequences of the proposed initiatives. Public consultation empowers citizens to actively engage with policymakers and contribute to shaping the legislative agenda.

The study also established that public consultation helps to identify potential environmental impacts and ensures that economic considerations are balanced with the well-being of the

community. For instance, when drafting policies or development plans that may have environmental or economic implications, Nairobi County may organize stakeholder consultations and expert panels to gather input and expertise. These consultations enable citizens, environmentalists, economists, and other relevant stakeholders to provide feedback, raise concerns, and propose sustainable alternatives.

From the analysis, it also emerged that cultural preservation and heritage was an important theme emphasizing cultural considerations in legislation. Several key informants showed concern with the failure of the County to recognize the importance of cultural diversity and opportunities that seeks to involve the public in decisions that impact cultural heritage. It is therefore important for the county government to understand that public consultation provides an avenue for citizens to contribute their knowledge, perspectives, and concerns regarding the preservation of cultural assets. These consultations may involve engaging cultural experts, community leaders, and citizens with a strong connection to the cultural heritage in question.

The thematic analysis indicates that public consultation in Nairobi County legislation plays a vital role in ensuring inclusive decision-making, addressing social, environmental, and economic impacts, fostering political engagement and accountability, and preserving cultural heritage. However, it is evident from the analysis that there are challenges in implementing public consultation in Nairobi County. The County fails to utilize the various forums that are at their disposal, such as, focus group discussions and online platforms. By failing to actively involve the public, Nairobi County misses the opportunity of promoting a more participatory and well-informed legislative process that considers the diverse interests and concerns of its citizens.

4.3.4 Effect of Public Involvement on Legislation Enacted by the County Assembly

The objective of this thematic analysis was to ascertain the effect of public involvement on legislation enacted by the county Assembly. Several themes and sub-themes were established through conducting interviews with the key informants.

4.3.4.1 Procedure for Calling Off, and Recording Public Submissions, Inputs, and Suggestions

The analysis established that county government recognizes the importance of actively seeking input from the public and providing clear and transparent guidelines on how citizens can participate. This includes publicizing opportunities for submission and specifying the deadline for input for example, at least a window of seven days is given for the public to provide inputs and suggestion on a given bill or policy. For instance, when Nairobi County plans to introduce a new policy or amend existing legislation, they may issue a public notice in newspapers, on their website, and through other communication channels. The notice outlines the purpose of the call, provides relevant information, and specifies the deadline for submitting public input, ensuring citizens are informed and aware of the opportunity to contribute.

It was also established that various channels are available for the public to submit their input and suggestions. However, there is no concerted effort by the County government to ensure that the available submission channels are easily accessible to cater to the diverse preferences and needs of the public. It is important to use the multiple channels that is, both online and offline methods, to accommodate different levels of technological access. Therefore, the experts that were interviewed recommended that Nairobi County may provide multiple submission options such as online forms, dedicated email addresses, physical drop-off points at County government offices, or designated public participation centers. This will ensure that the public can choose the most convenient and accessible method for submitting their suggestions and inputs.

The analysis further established that Nairobi County does not effectively employ a systematic process to record and review the received input, and there is challenge in ensuring that all submissions are considered and attributed correctly. With the lack of proper documentation and verification process, there is no authenticity and transparency when it comes to recording public submissions, inputs, and suggestions. Important details are not recorded during submission, for instance, relevant details such as the name of the submitter, date and time of submission, and the content of the input is lost in the process. Without proper documentation and verification process analysis of the received suggestions is rendered to be inaccurate.

Overall, the thematic analysis highlights strengths and weaknesses of the procedure followed by the Nairobi County government for calling off and recording public submissions, inputs, and suggestions in the legislative process. By prioritizing and issuing clear calls for public input, providing various submission channels, documenting, and verifying submissions, analysing and reviewing the received input, and ensuring transparency through public records, Nairobi County can fully utilize public involvement and contribute to a more inclusive and transparent legislative process.

A key recommendation that emerged from the analysis included once the submission period closes, the County government should carefully evaluate the received input to identify common themes, concerns, and suggestions. This analysis will help inform the decision-making process and ensures that public input is given due consideration. This may include Nairobi County forming a dedicated team or committee responsible for reviewing and analysing the received public submissions. This guides the subsequent legislative process, allowing policymakers to consider the public's views and concerns.

4.3.4.2 Public Response to Calls for Input in Policies and Bills Passed

Active engagement of the public in responding to calls for input is an important sub-theme that emerged from the thematic analysis. Nairobi County's efforts to involve the public in the legislative process have not provided the intended response from the public to actively participate in providing their opinions, suggestions, and concerns. The public does not fully appreciate or recognize the value of having a say in policies and bills that directly affect their lives. One of the key informants was quick to point out that:

“When Nairobi County calls for public input on a specific policy or bill, they receive very little response of submissions from individuals, community groups, civil society organizations, and other stakeholders. These submissions showcase the inactive engagement of the public and their lack of willingness to contribute to the decision-making process.”

In addition, it was established that there was a need to target diverse perspectives from the public to express the true picture of the public response to calls for input. Emphasis was made on efforts

to attract a wide range of perspectives that reflect the diverse interests, needs, and concerns of Nairobi residents. The public response should encompass various viewpoints, which enriches the legislative process and ensures a comprehensive consideration of different perspectives. For instance, from the thematic analysis it was evident that in response to calls for input on policies and bills, Nairobi County received insignificant submissions that does not represent a wide range of public perspectives.

Therefore, it is important to note that residents of Nairobi and organizations offer unique insights, suggestions, and critiques based on their diverse backgrounds, experiences, and expertise. This diversity of perspectives can help the county government gain a more comprehensive understanding of the potential impacts and implications of the proposed policies and bills. Rather than simply expressing opinions or grievances, the public response should include thoughtful suggestions, practical recommendations, and evidence-based arguments. Experts argued that the public recognizes the opportunity to contribute constructively to the development and improvement of policies and bills.

The thematic analysis further revealed that majority of the Nairobi residents who may be directly affected by the proposed policies and bills are not actively involved in sharing their perspectives and influencing the decision-making process. Nairobi County government's efforts to engage the public in policy and bill development have not been effective in encouraging participation at the grassroots level. The public submissions do not reflect the voices of marginalized communities, vulnerable groups, and residents of specific neighbourhoods who might otherwise have limited opportunities to participate in the legislative process. Therefore, experts make recommendation for a concerted effort from the County government to improve advocacy and campaigns programs such as awareness and mobilization support.

“When calls for input are made, citizens and organizations often seize the opportunity to raise awareness, mobilize support, and advocate for specific causes or issues related to the proposed policies and bills. They use the platform provided by Nairobi County to amplify their voices and create wider public discourse.”

The thematic analysis highlights the public response to calls for input in policies and bills passed by the Nairobi County government. The public's lack of active engagement, lack of diverse perspectives, and lack of grassroots involvement, and advocacy efforts demonstrate the lack of awareness on the significance of public participation in shaping legislative outcomes, as well as the lack of public mobilization support. Advocacy and campaigns programs provide a platform for citizens to express their views, concerns, and aspirations, ensuring that decisions reflect a broader range of perspectives.

4.3.5 Effect of Public Empowerment on Legislation Enacted by the County Assembly

The objective of this thematic analysis was to evaluate the effect of public empowerment on legislation enacted by the county assembly. Several themes and sub-themes were established through conducting interviews with the key informants.

4.3.5.1 Influence of Public Views on the Outcome of Legislation

The analysis establishes that influence of public views in driving amendments and revisions to proposed legislation. Public input often highlights areas of concern, identifies potential gaps, and suggests alternative approaches that can improve public participation and legislation process. The County government has to some extent shown a willingness to take public views into consideration however, major gaps on the amendments or revisions to legislation that addresses public concerns, remain. For instance, in response to public feedback on a proposed bill related to waste management, Nairobi County made substantial revisions to the original draft. However, the public raised concerns about the feasibility of certain provisions and emphasized the need for greater involvement of the public and other stakeholders. These concerns led to amendments that incorporated feedback and improved the final legislation.

The analysis also established that experts placed emphasis on the inclusion of public recommendations in the final legislation. Nairobi County government recognizes the value of incorporating public expertise and suggestions in the legislative process. Ideally public views that align with the goals and objectives of the legislation are to be given serious consideration. Public view was established to be an important variable that shapes the content and provisions of the outcome of legislation. For example, when developing a policy on urban planning, Nairobi County

sought public input through public consultations and online surveys. The public provided recommendations for more inclusive zoning regulations and emphasized the importance of sustainable development. These recommendations were integrated into the final policy, reflecting the influence of public views on shaping the legislation.

The thematic analysis further established that public input often sparks wider public discourse and mobilizes citizens to participate actively in the legislative process. Increased awareness and engagement create pressure and accountability for lawmakers to consider public views seriously. However, it was found that raising public awareness and engagement around specific legislation is not a common practice in Nairobi County government. The County government often publishes reports and they rarely update reports by incorporating the public views. For instance, experts agree that the County rarely communicate about the specific ways in which public input has influenced the final outcomes, and if they do communicate, the County never provides examples of the specific legislation where public views were considered and incorporated. These gaps demonstrate the county government's shortcoming on the commitment to inclusive governance and public participation.

4.3.5.2 Feedback Mechanism

Through the thematic analysis it is evident that Nairobi County government recognizes the importance of offering various platforms for citizens to provide their feedback, to ensure accessibility and inclusivity. This is to allow different segments of the population to express their opinions through channels they are comfortable with. The County utilizes a range of communication channels such as dedicated email addresses, online feedback forms, suggestion boxes in government offices, and social media platforms. Ideally these multiple channels are established to enable citizens to provide feedback in a manner that suits their preferences, making it easier for them to share their thoughts and suggestions.

However, experts point that there is minimal of public consultations as feedback mechanisms in Nairobi County. There is little opportunity for the public to express their opinions, ask questions, and provide feedback on policies, bills, and other relevant matters. For example, the analysis points out that there are low attendance or turnout during public consultations and social hall meetings

that are organized by the County government. These events are rarely attended by the public thus, the feedback received during these interactions is likely not a reflection of the whole population of Nairobi. Though the feedback received during these interactions is documented and considered in the decision-making process, and a representation of the whole population.

The analysis also highlighted the importance of collecting and analysing feedback systematically. Nairobi County has weak processes and systems to ensure that feedback is collected, documented, and analysed effectively. This has hindered the county government to effectively identify patterns, prioritize key issues, and take appropriate action based on the feedback received. Although the County has dedicated teams responsible for collecting, organizing, and analysing feedback, these teams lack human resource and technical capacity to compile the feedback, categorize it based on themes or topics, and prepare summary reports that highlight the key points raised by the public.

According to the analysis experts put emphasis county government's responsiveness and communication with the public regarding the feedback received. They understand the importance of acknowledging and responding to public input, providing transparency, and building trust with the citizens. Experts further recommend that after collecting and analysing feedback, Nairobi County needs to ensure timely communication with the public, informing them of the outcomes, decisions, or actions taken as a result of their input. This communication can take various forms, including public announcements, updates on the county's website, or direct responses to individuals or organizations that provided feedback.

The County government recognizes that providing feedback to the public is crucial in ensuring that citizens' voices are heard, and their contributions are valued. This commitment fosters trust, enhances transparency, and strengthens the relationship between the government and the public. In addition, by promptly communicating outcomes, the county government can demonstrate its commitment to transparency and acknowledges the significance of citizen engagement.

CHAPTER 5: DISCUSSION, CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

Chapter 5 presents a summary of the study findings in line with the objectives of the research. The chapter also presents conclusions and recommendations of the study as guided by the results.

5.2 Discussion of Findings

This section presents a discussion of the findings. The study sought to analyse the effect of public participation in Nairobi County government's legislation. The findings are presented in line with the objectives of the study: investigate the extent to which access to information influences Nairobi County's legislation; assess the impact of public consultation on legislation; ascertain the effect of public involvement on legislation; and evaluate the effect of public empowerment on legislation.

5.2.1 Extent to Which Access to Information Influences Nairobi County's Legislation

The study established that most of the respondents reported that the County Government doesn't publish draft policies and bills. Previous studies posit that without access to such information, citizens are unable to fully understand the intended changes, potential implications, and the decision-making rationale behind the proposed legislation (Kugonza & Mukobi, 2011; and Wright, 2011). The hypothesis underlying this study is that the limited or non-existent publication of draft policies and bills by Nairobi County Government hinders public participation and reduces the influence of access to information on the legislative process.

The findings of this study, where most respondents believe that County Government representatives do not sensitize residents on the importance of participating in county affairs, indicate a significant gap in communication and public engagement efforts. To further support these findings, the study by Huma, Haider & Zoe (2016) explain that in developing countries, there are barriers that hinder the capacity of governments to produce information, and the ability of citizens to claim their right to information and to use it to demand better governance and public services. Thus, the current study suggests a need for targeted sensitization campaigns, information

dissemination, and communication strategies to enhance public awareness and encourage greater participation in the county government affairs.

The findings indicate disagreement with items related to outreach and inclusion. Outreach and inclusion efforts involve actively reaching out to diverse segments of the population and ensuring their meaningful involvement in decision-making (Bryson and Crosby, 2014). When respondents' express disagreement, it suggests that they perceive insufficient efforts by the Nairobi County government to engage and include a wide range of stakeholders in the decision-making process. Kugonza and Mukobi (2011) also suggest that in the local governments public participation is normally hindered by lack of Access to information, which is critical in enabling citizens articulate their ideas and engage in informed dialogue about issues that affect their lives. The implication is that limited outreach and inclusion can lead to marginalized groups such as the youth and women, being excluded from participation, resulting in a democratic deficit and decisions that do not reflect the needs and interests of the entire community.

The findings further show that respondents moderately agreed with the item stating that public participation provides an opportunity to seek clarification on unclear matters. This suggests that respondents recognize the importance of public participation to seek clarification and understanding on issues that are not clear to them. Glover (2003) also observes that information sharing and seek clarification in the policy process is always a requirement to ensure effective and inclusive public participation. This highlights the potential value of public participation in enhancing transparency, accountability, and knowledge exchange between the government and the public.

Based on the current findings, it is evident that there is a perception among respondents that civic education, access to information, and outreach/inclusion efforts by the Nairobi County government are inadequate. Past studies also reveal the existence of some factors hindering public participation in legislation for instance, public participation has been hindered by various reasons including lack of civic education and communication, limited access to information, as well as lack of proper mechanisms for outreach and inclusion (Haider and Zoe, 2016). This supports the hypothesis that the lack of these elements hampers public participation and undermines the development of a deliberative democracy in Nairobi County government.

The research findings indicate that there is a positive correlation between ‘Civic Education’ and ‘Access to Information’, and that this relationship was statistically significant. In this case, it suggests that when civic education levels are higher, there is a tendency for access to information to be higher as well. The positive relationship supports the hypothesis that an increase in civic education is associated with increased access to information. A study conducted by Finkel (2000) share similar findings, he posits civic education programs increase individuals’ information, feelings of empowerment, and degree of participation. Thus, the findings suggests that individuals who have received civic education are more likely to be aware of their rights to access information and understand its importance in participating effectively in public affairs. Thus, they are more likely to actively seek and obtain information related to government policies, decisions, and opportunities for engagement.

The research findings indicate a negative correlation of between civic education and outreach/inclusion. The negative relationship supports the hypothesis that an increase in civic education is associated with decreased outreach/inclusion efforts. Masango (2002) also observes that capacity building through civic education helps governments both central and local, improve the citizens understanding of governance and to ensure that they participate effectively in governance processes. The findings suggests that when individuals have higher levels of civic education, they may have higher expectations and demands for inclusive and participatory processes. If their expectations are not met by the outreach/inclusion efforts of the county government, it can lead to a perception of decreased outreach/inclusion.

5.2.2 Impact of Public Consultation on Legislation Enacted by the County Assembly

The research findings indicate that many of the respondents believe that public consultation does not impact legislation in Nairobi County. This suggests a prevailing perception among the respondents that public consultation processes have limited influence or effectiveness in shaping the legislative outcomes in the county. These findings are contrary to other previous studies, where they found that consulting the public iCn the legislative process can have a considerable effect on legislation ((Arter, 2006; and Mbithi et al., 2019). The current findings imply that respondents may believe that their voices and opinions expressed during public consultations are not adequately considered or incorporated into the final legislation, leading to the perception of limited impact.

The perception that public consultation does not impact legislation may stem from a sense of scepticism or disillusionment among respondents. The research findings established that previous experiences of public consultation processes in Nairobi County have resulted in little or no tangible changes in legislation, this may have eroded confidence in the effectiveness of such processes. Study by Zulueta-Fülscher and Bisarya, (2018) adds despite its potential advantages, public participation encounters multiple hurdles. One of the most substantial obstacles is the problem of representation. Due to unequal access, not all citizens can participate equally in the legislative process, resulting in an uneven representation. Thus, according to the current finding respondents may view public consultations as symbolic or tokenistic, rather than genuine opportunities for meaningful public input.

In addition, the perception of limited impact may also reflect power dynamics and decision-making processes within Nairobi County. Study by Zulueta-Fülscher and Bisarya, (2018) support this notion by stating that wider participation can lead to inconsistencies and incoherence in the constitution, as evidenced in Brazil's 1988 Constitution. This is because participation exposes the negotiation process to competing interests and passions, making bargaining more difficult and potentially leading to extreme positions. This implies that if decision-makers hold significant power and influence over legislative outcomes, public consultation processes may be seen as superficial or secondary to predetermined decisions. Respondents may feel that their participation is merely a formality rather than a meaningful avenue to influence legislative decisions.

The research findings reveal that respondents expressed disagreement with the statement that public consultation provides a platform for the public to present their concerns. This suggests that respondents do not perceive public consultations as effective platforms for expressing their concerns or raising issues that they consider important. Mbithi et al. (2019) also argue that at times, citizens may not possess the required expertise or knowledge to offer insightful feedback, which can result in inferior quality public participation. The current findings implies that there is a discrepancy between the idealized perception of public consultation as a platform for concerns and the actual experiences or perceptions of the respondents.

The research findings indicate that respondents show agreement with the statement that public consultation gives the public an opportunity to effectively engage in the socio-political, cultural,

economic, and environmental impact of policies, laws, and dev plans. This suggests that respondents perceive public consultation as a valuable platform for meaningful participation, where they can critically analyse and provide input on the various impacts of proposed policies, laws, and development plans. In addition, respondents perceive public consultations as opportunities to contribute their perspectives, expertise, and concerns, which can enhance the quality and legitimacy of decision-making processes.

The research findings indicate a positive correlation between consultation and consensus. The results proposes that meaningful and inclusive consultation processes in Nairobi County have the potential to foster consensus-building among participants. The findings further suggests that when consultation is effectively conducted, allowing for open dialogue, information sharing, and deliberation, it can contribute to building common ground and reaching consensus among stakeholders. A study by Mbithi et al., (2019) share similar sentiments, they found that respondents who had been consulted in government projects /decisions experienced meaningful public participation and thus were more likely to approve of both the MCAs' and Governor's performance compared to those who had not. By engaging stakeholders in meaningful dialogue and decision-making, the county government can enhance the legitimacy, acceptance, and effectiveness of its policies and initiatives.

5.2.3 Effect of Public Involvement on Legislation Enacted by the County Assembly

The research findings indicate that a significant majority of the respondents reported that they have never been involved in any public participation forum in Nairobi County. This suggests that most of the respondents have not had the opportunity or experience of actively participating in public engagement processes facilitated by the county government. The lack of involvement in public participation forums could be attributed to limited awareness or access to such forums. Respondents may not have been adequately informed or informed at all about the opportunities for public participation in Nairobi County. Ministry of devolution and Planning, and Transition Authority (2016) support this notion, by pointing out that communities often lack adequate information on proposed government policies, budgets, programs, plans, and services. It is worth noting that this is needed for effective public participation.

The findings also indicate that a significant proportion of respondents have never been involved in public participation forums, suggesting a perception among these individuals that such forums have limited impact or efficacy. They may believe that their participation in these processes does not significantly influence decision-making or policy outcomes, leading to a lack of motivation or interest in participating. Study conducted by the Ministry of devolution and Planning, and Transition Authority (2016) share similar sentiments, they argue that the public may have a negative attitude or apathy from the public due to lack of feedback, from previous consultations. The public often feels that nothing ever comes out from participating. The research findings underscore the need to address the barriers and perceptions that hinder public participation in Nairobi County. Enhancing public participation processes can foster a more inclusive and democratic governance system.

The research findings indicate that most of the respondents who participated in at least one public participation forum reported that their views were considered by the county government representatives. This suggests that these individuals perceived that their input, opinions, and concerns were considered by the government representatives during the decision-making process. In addition, they may feel that their participation in public forums provided them with an opportunity to influence the decision-making process and contribute to shaping policies, laws, or development plans in Nairobi County. Previous studies also stipulate that public participation have a significant impact on the law's responsiveness to the preferences of the people (Mbithi et al., 2019; and Devlin et al., 2005). For instance, Mbithi et al. (2019) point out that when citizens are involved and given the opportunity to participate in the legislative process, they can provide valuable feedback and input that can help shape the laws created.

It is worth noting that a minority of respondents reported that their views were not considered by the county government representatives. This indicates a discrepancy between the perception of influence among those whose views were considered and those who felt ignored or unheard. Dissatisfaction with the consideration of views may stem from experiences where participants felt that their input was disregarded or had little impact on the decision-making outcomes. The research findings emphasize the importance of continuous improvement in public participation processes. To enhance public trust and confidence, the county government can work towards creating transparent, inclusive, and responsive mechanisms for gathering and incorporating public input.

The research findings suggest that respondents revealed disagreement with items related to stakeholder identification and public meetings. This indicates that respondents did not perceive the county government's efforts in effectively identifying stakeholders or conducting public meetings as satisfactory. They may have felt that the stakeholder identification process was inadequate or that public meetings did not provide sufficient opportunities for meaningful engagement and dialogue.

On the other hand, respondents indicated moderate agreement with knowledge sharing items. This suggests that they recognized the value and importance of public involvement in knowledge sharing during public participation processes. Respondents believed that public involvement provides additional skills, knowledge, views, and ideas that may have been overlooked initially. They also saw the opportunity for residents to understand the provisions of legislation and study draft policies, bills, and implementation plans, thereby fostering a sense of ownership and informed decision-making. Study by Perlaviciute and Squintani (2020) found that involvement of the public in law making helps ensure that laws are grounded the needs and preferences of the people. It allows citizens to highlight issues that policymakers may overlook or identify areas where existing laws are inadequate. Thus, by engaging the public, the county government can tap into a wider pool of expertise, diverse perspectives, and local knowledge.

The study findings indicate a positive correlation between stakeholder identification and meeting public. The positive correlation suggests that when stakeholder identification is done effectively, there is a higher likelihood of conducting public meetings as part of the public participation process. Stakeholder identification serves as a foundation for identifying the appropriate individuals and groups to engage in public meetings, ensuring that the relevant stakeholders are present, and their input is sought. Study by Holum (2022) posits that public participation helps build trust between citizens and their government. When citizens have a voice in the legislative process, they are more likely to feel that their government is responsive to their needs and concerns. This current finding emphasizes the importance of proactive efforts by the county government to identify and involve stakeholders in public participation processes, leading to more inclusive and participatory decision-making.

5.2.4 Effect of Public Empowerment on Legislation Enacted by the County Assembly.

This study findings indicate that an majority of respondents reported that the county government does not have in place feedback and reporting mechanisms. This suggests that respondents perceive a lack of structured systems or processes for collecting feedback from the public and reporting on the outcomes or actions taken by the county government. The high percentage of respondents indicating the absence of feedback and reporting mechanisms suggests a potential lack of public engagement in the decision-making processes of the county government. Ebdon and Franklin (2006) in their study public participation in the budgetary process observed that low turnout and insufficient representation impact the public participation process. The current finding emphasizes that without proper mechanisms in place, it becomes challenging for the public to stay informed on the progress of policies, laws, or development plans and provide meaningful input or hold the government accountable for their actions.

The research findings indicate that respondents showed moderate agreement with variables related to implementing people's decisions. This suggests that respondents hold the belief that public participation processes in Nairobi County led to outcomes that are reflective of the public's views and are therefore easy to implement. They also perceive public participation as a means of empowering the public by placing final decision-making authority in their hands. Additionally, respondents believe that public participation ensures that legislation complies with constitutional provisions. However, previous studies have shown contradicting results (Lee and George, 2000; Glasson and Salvador, 2000; and Gibson, 2002). These studies suggest that although public participation in environmental assessment (EA is often included in legislation, it frequently falls short in practice.

The moderate agreement with the variable suggesting that public participation empowers the public by placing final decision-making authority in their hands highlights the perception that public participation processes in Nairobi County provide an opportunity for the public to have a meaningful influence on decision-making. However, one crucial factor that impacts the quality of participation is the unequal resources available to different groups of the public in terms of time, access to information, and political power, as discussed by Sinclair and Diduck (2000). Therefore,

when individuals and communities are actively engaged in shaping policies and legislation, they feel empowered and have a sense of ownership over the outcomes.

The research findings indicate that respondents showed disagreement with the statement that policies, laws, and development plans enacted are robust and acceptable to the people. This suggests that respondents do not perceive the current legislative outcomes in Nairobi County as being sufficiently robust or widely accepted by the public. A study by Lee and George (2000) also revealed that while public participation was provided for, the requirements were often vague and general. Therefore, the research findings indicate a lack of confidence in the effectiveness or appropriateness of the enacted policies, laws, and development plans.

On the other hand, the research findings reveal that respondents showed agreement with the statement that public views influence the outcome of legislation. This suggests that respondents believe in the impact of public participation in shaping the legislative outcomes. Previous study by Vari, (1998) support this notion by stipulating that important environmental protection laws like the Canadian Environmental Protection Act provide for public participation in the rulemaking process. This trend highlights the growing recognition of the value of public engagement in environmental policy and the use of negotiations to build consensus among stakeholders. This finding implicates that respondent perceive that the input and opinions of the public have the potential to influence the decision-making process and shape the policies, laws, and development plans enacted by the county government.

The research findings indicate that there is a positive correlation between the variables "implementing people's decision" and "feedback". It highlights the significance of feedback as a mechanism for facilitating the implementation of people's decisions. When the government actively seeks and considers feedback from the public, it enhances the legitimacy and effectiveness of the decision-making process. Respondents who perceive a stronger relationship between feedback and decision implementation may have more confidence in the government's responsiveness and willingness to incorporate public input.

5.3 Conclusions

The study highlighted the significant influence of access to information on Nairobi County's legislation. It became evident that the lack of access to information hampers meaningful public participation and diminishes the potential impact of informed citizenry on legislation. Without adequate information, citizens struggle to comprehend the rationale behind proposed legislation, making it difficult for them to contribute constructively. The research findings also demonstrated a gap in communication and public engagement efforts. Respondents expressed concerns about limited outreach and inclusion, potentially excluding marginalized groups from the legislative process.

Regarding the impact of public consultation, the findings revealed that respondents perceived limited effectiveness in shaping legislative outcomes. Past experiences had left many feeling that their voices and opinions were not adequately considered. However, the study also recognized the value of public consultation as a platform for critical engagement and consensus-building. In terms of public involvement, a significant portion of respondents had never participated in any public participation forums. This lack of involvement was attributed to factors such as limited awareness or access to these forums. For those who did participate, their input was sometimes disregarded, leading to dissatisfaction.

Additionally, the research findings pointed to the absence of structured feedback and reporting mechanisms, hindering public engagement in decision-making processes. While some outcomes were reflective of public views, the lack of proper mechanisms made it challenging for the public to stay informed and hold the government accountable. In sum, this study underscores the vital role of public participation in shaping legislation within Nairobi County. To enhance the effectiveness of public participation, it is imperative to improve access to information, promote inclusivity, refine public consultation processes, increase public involvement, and establish robust feedback mechanisms.

5.4 Recommendations

Based on the research conclusion that focused on public participation in Nairobi County government's legislation, the following recommendations were made:

1. Access to Information:

Nairobi County government should proactively publish draft policies and bills to ensure transparency and provide citizens with access to legislative information. This can be done through the county's official website and other accessible platforms.

Conduct civic education and sensitization campaigns to educate the public on how to access information on legislative proposals. This will empower citizens to engage more effectively in the legislative process.

Develop and implement effective communication strategies to ensure that information about legislative proposals, their implications, and decision-making rationales reaches the wider public. This may include utilizing social media, community meetings, and traditional media.

2. Public Consultation:

Nairobi County to reevaluate its public consultation processes with a view of ensuring that they lead to meaningful outcomes. This includes actively incorporating public feedback into legislative proposals and demonstrating that citizen input is considered seriously.

Establish mechanisms to track and report on how public input has influenced the final legislative outcomes. This can help build trust and confidence in the consultation process.

Provide training and capacity-building opportunities for both government officials and citizens involved in the consultation process to ensure productive and constructive dialogues.

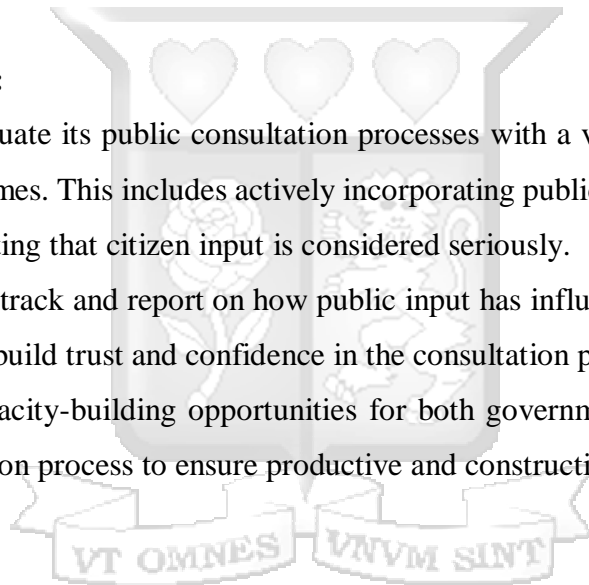
3. Public Involvement:

Nairobi County should actively work to increase awareness of public participation forums among all segments of the population, including marginalized groups. This may involve using various communication channels and community outreach efforts.

Establish clear and accessible feedback mechanisms to inform participants about how their input was used and the impact it had on decision-making.

Strive for diverse representation in public participation forums to ensure that the voices of different communities and demographics are heard and taken into account.

4. Public Empowerment:



Implement structured systems for collecting feedback from the public and reporting on the outcomes or actions taken by the county government in response to public input.

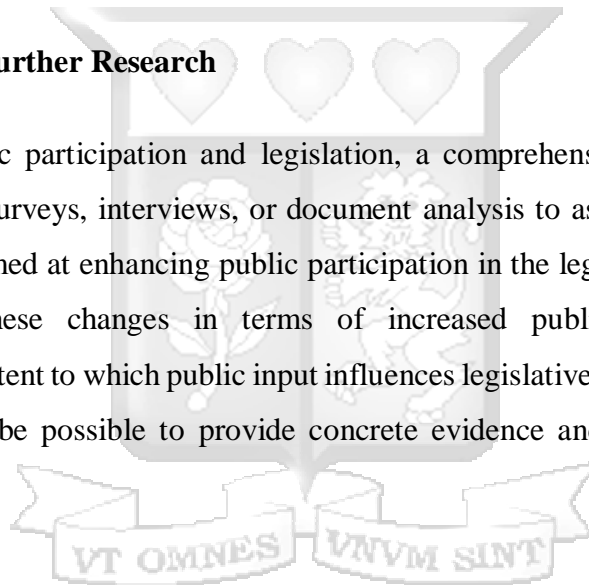
Ensure that the decision-making process is transparent, and decisions are made in a way that reflects the public's views and is easy to implement.

Establish mechanisms for holding county government officials accountable for their actions and decisions related to public participation. This may include regular reporting and evaluation of public engagement initiatives.

Overall, these recommendations aim to create a more open, inclusive, and accountable legislative process in Nairobi County, where public participation is not only encouraged but also effectively utilized to shape legislation that better serves the needs and interests of the entire community.

5.5 Suggestion for Further Research

To further explore public participation and legislation, a comprehensive study would involve collecting data through surveys, interviews, or document analysis to assess the impact of policy and statutory changes aimed at enhancing public participation in the legislative process. Measure the effectiveness of these changes in terms of increased public awareness, improved representation, and the extent to which public input influences legislative outcomes. By conducting such research, it would be possible to provide concrete evidence and support for the current research findings.



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APPENDICES

Appendix I: Participants Consent Form

Title of the Proposed Study: Analyzing the Effect of public participation in Nairobi County government's legislation

RESEARCHER: CHRISTINE IRERI

INSTITUTIONAL AFFILIATION: Strathmore Business School (SBS)

1: Why is this study being carried out?

The research is being undertaken as a partial requirement for the academic award of Master of Public Policy Management Degree. The intent of the research is purely for academic purposes and no research data sought will be utilized beyond this parameter.

2: Do I have to take part? Even with your consent to take part in the study, you can decline to take part in the study at any point within the course of the exercise.

3: Who is eligible to take part in this study?

The study will consider the selected key informants in Nairobi County as well as adult residents of the county

4: Who is not eligible to take part in this study?

This research study is not open to participants who are minors and who do not reside or work in Nairobi city county

5: What will taking part in this study involve for me?

Participation in the study is of importance in streamlining/enhancing effective public participation around law making in Nairobi County.

6: Are there any risks or dangers in taking part in this study?

The study poses no risk whatsoever to the respondents.

7: Are there any benefits of taking part in this study?

Yes, the findings of the research are expected to likely to support better policy formulation in the county

8: What will happen to me if I refuse to take part in this study?

Participation in the study is entirely voluntary.

9: Who will have access to my information during this research?

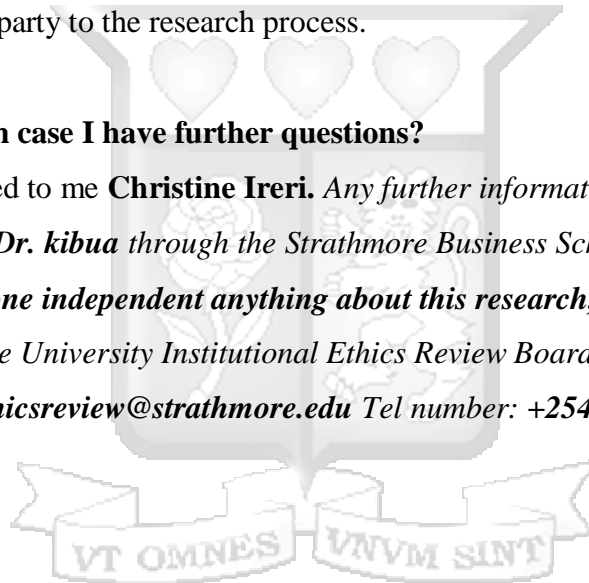
All the accessed research data was treated with utmost confidentiality and will not be disclosed to any person who is not party to the research process.

10: Who can I contact in case I have further questions?

Any query can be directed to me **Christine Ireri**. *Any further information can be sought from my Research Supervisor **Dr. kibua** through the Strathmore Business School Office.*

If you want to ask someone independent anything about this research, please contact:

The Secretary–Strathmore University Institutional Ethics Review Board, P. O. BOX 59857, 00200, Nairobi, email ethicsreview@strathmore.edu Tel number: +254 703 034 375



Appendix II: Introduction Letter

To the county secretary Nairobi County /Clerk of Nairobi County Assembly

.....

Dear Sir/Madam,

RE: Request to Collect Research Data from your Organization

Greetings,

I am Christine Ireri an MPPM student at Strathmore University Business School. As part of the partial requirements for the award of my degree, I am required to undertake a study. My proposed study is aimed at analyzing the effects of public participation in Nairobi county’s legislation. It is expected to fill a knowledge gap and enhance public participation in Nairobi County.

I kindly request you to allow me access relevant information that will help in achieving the research objectives and enhance the body of knowledge around public participation in law making. The research findings are expected to be of practical assistance to policy makers and legislators in Nairobi County. The collected research data will be treated with utmost confidentiality and only utilized for the underlined purpose. If requested, the findings of the research will be made available to your reputable offices. All the assistance rendered will be highly appreciated.

Kind Regards

Appendix III: Letter Research Facilitation

C/o Sangale Rd, Masaraka Estate,
P.O. Box 59857 00200, Nairobi, Kenya.
Cell: +254 703 414/6/7, Twitter: @SBSKenya
Email: info@sbs.ac.ke or visit www.sbs.strathmore.edu



Wednesday, 17 May 2023

To Whom It May Concern,

RE: FACILITATION OF RESEARCH – CHRISTINE MUMBI IRERI

This is to introduce Christine Mumbi Ileri who is a **Master's in Public Policy and Management** (MPPM) student at Strathmore University Business School, admission number MPPM 124148/19. As part of our MPPM Program, Christine is expected to do applied research and undertake a project. This is in partial fulfilment of the requirements of the MPPM course. To this effect, she would like to request for appropriate data from your organization.

Christine is undertaking a research paper on "**Analyzing the effects of public participation on Nairobi county's legislation.**" The information obtained from your organization shall be treated confidentially and shall be used for academic purposes only.

Our MPPM Program seeks to establish links with industry, and one of these ways is by directing our research to areas that would be of direct use to industry. We would be glad to share our findings with you after the research, and we trust that you will find them of great interest and of practical value to your organization.

We appreciate your support and shall be willing to provide any further information if required.

Yours Faithfully,

A handwritten signature in black ink, appearing to read "Njoki Kiagiri".

Njoki Kiagiri
Manager – Graduate Programmes

Association of African
Business Schools



Strathmore Business School is a Proud member of



AACSB

EFMD

Appendix V: Research Questionnaire for Target Residents

Dear Sir/Madam,

Thank you for participating in this study which seeks to examine the influence of Public Participation on legislation in Nairobi County.” Your knowledge, experience, and information essential to this study.

This interview is voluntary, you do not have to participate if you do not wish to. Please be assured that your response will only be used for this study’s purposes and the information you provide will be treated with the highest level of confidentiality throughout the study and after the study period.

In case of any questions regarding the study, please contact Christine at 0723-716059 or email christine.ireri@strathmore.edu. Thank you for your time and input.

Date

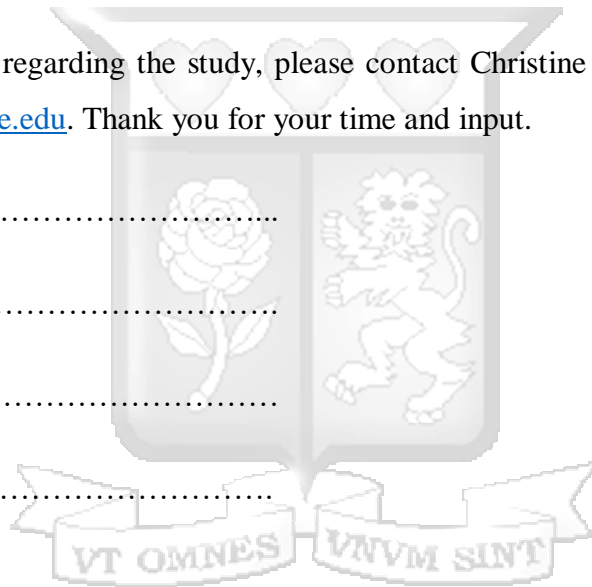
Age.....

Gender.....

Level of education.....

Sub County:

Ward:



EXTENT TO WHICH ACCESS TO INFORMATION INFLUENCES LEGISLATION IN NAIROBI COUNTY.

1. Does the County Government publish draft policies and bills?

Yes ()

No ()

2. Please indicate the level to which you agree with the statements below

1- strongly agree 2- agree 3- somehow agree 4- disagree 5- strongly disagree

	1	2	3	4	5
a. Civic education					
The public has been educated on the importance of participating in governance					
The public understands the various ways to participate					
The public understands the roles of different actors in public participation					
Did the sensitization program meet your expectations?					
b. Access to information					
The public gets timely information on the county government plans					
There is timely sharing of information to enables the public to participate effectively during public participation forums					
public participation provides an opportunity for the public to seek clarification on matters that are not clear					
The public receives regular feedback on the outcome of public participation forums					
c. Outreach/inclusion					
The county government provides sufficient notice for public participation					
The time allocated for public participation is sufficient for the county government to receive public views					
The county Government uses different methods for public participation including social media					
Public participation is conducted in both Kiswahili and English					

3. Do the county Government/civil society representatives sensitize residents of Nairobi on the importance of participating in county affairs?

Yes. ()

No ()

4. How do these aspects affect legislation enacted by the county assembly of Nairobi County?

IMPACT OF PUBLIC CONSULTATION ON NAIROBI COUNTY’S LEGISLATION

5. Does public consultation impact legislation in Nairobi County?
- a. Yes []
- b. No []
6. If answer to 1 is yes, to what extent does public consultation impact legislation in Nairobi County?
- a. Very large extent []
- b. Large extent []
- c. Moderate extent []
- d. Small extent []
- e. No extent at all []
7. Please indicate the Level to which you agree with the following statements
- 1- Strongly agree 2- Agree 3- Somehow agree 4- Disagree 5- Strongly disagree

	1	2	3	4	5
a. CONSULTATION					
public consultation provides a platform in which the public presents their concerns, and decision-making becomes more representative.					
During consultations, Residents offer their views on what should form part of the policies, laws, and development plans					
Public consultation legitimizes legislation, policy formulation and implementation processes					
b. BUILDING CONSENSUS					
Public consultation helps alleviate social conflicts, by taking care of the interests of different stakeholders and building consensus					
Public consultation gives the public an opportunity to critically engage in the social, political, cultural, economic, and environmental impact of policies, laws, and development plans.					
Investment in public consultation at an early stage helps diagnose the root cause of problems and solutions thereof. Minimizes the magnitude of social					

conflicts arising over the course of the implementation of policies, laws, and development plans.					
Public consultation ensures that legislation meets constitutional thresholds and hence not subjected to unnecessary litigation.					

EFFECT OF PUBLIC INVOLVEMENT ON NAIROBI COUNTY’S LEGISLATION

8. Have you been involved in any public participation forum in Nairobi County?
 - a. Yes. ()
 - b. No. ()
9. If answer to 5 above is yes, were your views considered by the county government representatives?
 - a. Yes. ()
 - b. No. ()
10. Does public involvement influence your compliance with legislation enacted by Nairobi County?
 - a. Yes ()
 - b. No. ()
11. Please indicate the level in which you agree with the statements below.

1- Very large extent 2- Large extent 3- Moderate extent 4- Small extent 5- No extent at all

	1	2	3	4	5
a. STAKEHOLDER IDENTIFICATION					
The county government map out and classify stakeholders?					
The county government sends targeted invites those directly affected by a decision to participate in forums					
The county government has a stakeholder identification criterion					
b. MEETING PUBLIC					
The county Governments identifies convenient venue and timings for the public participation forums					
The public has sufficient time to objectively communicate their concerns and ideas without fear or favor					

Residents get an opportunity to identify and communicate their needs and priorities during forums organized by the county Government					
Public forums bring large and diverse groups of people together at a short notice.					
c. KNOWLEDGE SHARING					
Public involvement provides additional skills, knowledge, views, and ideas that might have been overlooked from the onset					
gives residents an opportunity to understand the provisions of a given piece of legislation.					
public involvement gives the public an opportunity to study draft policies, bills and implementation plans and provide input hence a sense of ownership					

EFFECT OF PUBLIC EMPOWERMENT ON NAIROBI COUNTY’S LEGISLATION

12. Does the county government have in place feedback and reporting mechanisms?

Yes []

No []

13. Please indicate the level to which you agree with the statements below

strongly agree 2- agree 3- somehow agree 4- disagree 5- strongly disagree

	1	2	3	4	5
a. IMPLEMENT PEOPLE’S DECISION					
laws passed are reflective of the public’s views and hence easy to implement					
policies, laws, and development plans enacted are robust and acceptable to the people					
Empowers public by placing final decision-making authority in their hands					
Public participation ensures that legislation complies with constitutional provisions					
public views influence the outcome of legislation					
b. Feedback					

public empowerment provides an opportunity for the public to seek clarification on matters that are not clear					
Provides an opportunity for the public to give feedback on alternatives or government decisions					
The public empowerment receives regular feedback on the outcome of public participation forums					
there is increased compliance where there was public participation in the legislative process					

THANK YOU FOR PARTICIPATING



Appendix VI: Key Informant Interview Guide

Dear Sir/Madam,

Thank you for participating in this study which seeks to investigate the “Effect of public participation on legislation in Nairobi County.” Your knowledge, experience and information is essential in this survey.

This discussion is voluntary; you do not have to participate if you do not wish to. Please be assured that your response will only be used for this study's purposes and the information you provide will be treated with the highest level of confidentiality throughout the study and after the study period.

In case of any questions regarding the study, please contact Christine at 0723-716059 or email christine.ireri@strathmore.edu. Thank you for your time and input.

DATE.....

NAME.....

DESIGNATION.....

1. Do the county Government/civil society representatives sensitize residents of Nairobi on the importance of participating in county affairs?

2 Are you involved in any outreach program that creates awareness of public participation to the public?

If yes, which one(s)?

3 Does the County Government publish draft policies and bills?

4 Does the County Executive and the county provide sufficient notice for public participation?

Does the county government give feedback to the public on the outcome of public participation forums?

5 How do civic education, and access to information impact the effectiveness of public participation

6 Does the county conduct consultative forums? If yes, how is it done?

7 Public consultation allows the public to critically engage in the social, political, cultural, economic, and environmental impact of policies, laws, and development plans.

8 Is public consultation important in the making of legislation in Nairobi County? If your answer is yes, please Explain

9 Is there a procedure for calling off, and recording public submissions, inputs, and suggestions in the legislative process?

10 How would you describe the public response to calls for input in policies and Bills passed so far?

11 Does the county Government have in place feedback mechanisms? If yes, how does it work

12 To what extent have public views influenced the outcome of various legislation?

13 How does public participation influence citizen compliance with legislation enacted by the Nairobi County assembly

14 In your opinion, what should be done to improve public participation in the legislative process?

THANK YOU FOR PARTICIPATING

