STATE OF LOCAL DEMOCRATIC GOVERNANCE IN KENYA

Comprehensive Report

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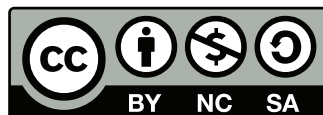# Acknowledgements

Contents

Acronyms and abbreviations

CAPI   Computer-assisted personal interviewing

CMD-Kenya   Centre for Multiparty Democracy Kenya

FGD   Focus group discussion

IEBC   Independent Electoral and Boundaries Commission

MCA   Member of county assembly

PLWD   Person living with a disability

RTA   Refused to answer

SoLD   State of Local Democracy

EXECUTIVE SUMMARY

BACKGROUND

The International Institute for Democracy and Electoral Assistance (International IDEA) provides a strong framework for helping citizens to conduct a 'health check' of democratic governance at their local level to identify strengths and weaknesses, and to translate these into local reform and development priorities. This is referred to as the State of Local Democracy (SoLD) framework, which consists of three parts: (1) principles and mediating values; (2) pillars and search questions; and (3) how to develop an assessment.

The Centre for Multiparty Democracy (CMD-Kenya) is a political parties–based organization established in March 2004.

The Centre for Multiparty Democracy (CMD-Kenya), which is a political parties–based organization established in March 2004, commissioned Infotrak Research and Consulting Ltd to do a survey which applied International IDEA's SoLD framework in conducting a pilot gender-sensitive assessment of the state of democratic governance in 24 counties of Kenya. In conducting the survey, the consultant tailored the framework to suit the Kenyan context.

METHODOLOGY

The survey adopted both qualitative and quantitative research methods that involved a comprehensive literature review; face-to-face interviews and focus group discussions (FGDs) with members of the public; and key informant interviews with stakeholders in public institutions, political parties and civil society organizations.

The survey was conducted in 24 counties across all 8 regions of Kenya.[1] During the survey, 2,400 face-to-face interviews were conducted with members of the

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[1] The Nairobi, Coast, North Eastern, Eastern, Central, Rift Valley, Western and Nyanza regions.

general public. The sample was distributed using population proportionate to size. Data collection took place during the month of November 2021.

SURVEY FINDINGS

- Awareness of the different levels of government is relatively high; awareness of the arms of the national government is equally high. In terms of gender, men are more aware of the levels and arms of government than women are. Further, a high degree of awareness was more characteristic of the younger respondents compared with their older counterparts.
- More than half (51%) of the respondents reported that the government treats its citizens equally in addressing their concerns, interests and rights. However, a significant proportion of the respondents, especially from the Central, North Eastern and Eastern regions, as well as persons living with disabilities (PLWDs), were of the view that the government does not treat everyone equally.
- Most Kenyans are not actively involved in the running of government or in governance matters. Those who felt that they were actively involved noted that the government informs the public about its decisions and plans and that people have an opportunity to vote on key issues such as constitutional amendments. Public participation is possible through regular, free and fair elections as well as forums organized mainly by county governments.
- Kenyans have a relatively high level of awareness of their rights, key among them being the right to citizenship, freedom of expression, freedom of movement and the right to life. It is noteworthy that voting during elections stands out as the main way in which Kenyans can participate in the handling of affairs and governance of the country.
- Overall, ethnic and religious conflicts are not considered a problem within communities. However, they still remain a problem in the North Eastern and Nyanza regions, as noted by a majority of surveyed respondents within these regions. For the most part, tension is not considered a problem within communities.
- In general, awareness of government responsibilities towards citizens was considerably high, with almost all (99%) of the respondents indicating that they were aware of such responsibilities. The responsibilities mentioned most often included creating a conducive environment for investment, employment and self-employment (17%); protecting citizens against internal and external threats (16%); and ensuring access to quality health care (15%). Further, more than half (53%) of the respondents did not think that Kenyans were actively involved in the country's economy. Those who thought that Kenyans were actively involved felt that this was the case mainly because jobs were available (26%), banks and other financial institutions gave loans to individuals and businesses (23%) and consumers spent a lot of money on goods and services (20%).
- A relatively high proportion (91%) of the respondents indicated that they were aware of the economic and social rights that are guaranteed in Kenya's 2010 Constitution. Of these, 47% were aware of the right to the

highest attainable standard of health, 42% were aware of the right to education, and 37% were aware of the right to accessible and adequate housing and to reasonable standards of sanitation.

- Respondents indicated that the factors that contributed the most to their identity as Kenyans were respect for different ethnic communities (19%), respect for members of all religions (12%) and respect for all social classes (12%).

- The survey established that the greatest threats to the rule of law and enjoyment of human rights and fundamental freedoms included corruption and impunity (70%), the high cost of accessing justice (8%) and ignorance of one's rights (7%).

- The judiciary (37%), the inspector general of police (22%), the Office of the President (20%) and the cabinet secretary for the Ministry of Interior and Coordination of National Government (7%) were the key institutions and individuals most associated with enforcing the rule of law and protecting human rights and freedoms in Kenya. Similarly, the three organizations most associated with being the greatest threat to the rule of law and enjoyment of human rights and freedoms in Kenya include the inspector general of police, the judiciary and the Office of the President.

- The survey established that respondents were almost equally divided about whether or not the judiciary was independent and impartial in rendering justice: whereas 43% indicated that it was not, 45% said that it was both independent and impartial.

- A majority (57%) of the respondents indicated that the current Constitution had resulted in Kenyans being better governed. On the other hand, 34% disagreed that the current Constitution had resulted in Kenyans being better governed. More than half of the PLWDs (51%) surveyed felt that the current Constitution had not led to improved governance to a sufficient degree.

- The survey established that a large majority of respondents (82%) think that participating in national government and county government decision-making processes is a good way to improve governance and government decision-making. Only 14% were of the view that citizens' participation in national government and county government decision-making processes was not a good way to improve governance.

- A majority (61%) of the respondents indicated that they were not members of a political party, while about two in every five (44%) had not participated in a political party nomination over the previous 10 years. Whereas more than half (51%) of respondents indicated that being a member of a political party was important, a significant proportion (38%) were of the opinion that it was not important.

- A high proportion (93%) of the respondents were aware of ways to improve participation in political parties. Some of the ways mentioned included eradicating tribalism in parties (26%), educating the public on the importance of political parties (21%) and making political parties more transparent (19%).

- Religious groups (64%), village elders (47%), community elders (40%) and age groups (41%) were mentioned as important governance institutions. However, significant percentages of respondents said that religious

groups (14%), village elders (21%), community elders (25%) and age groups (28%) were not important.

- An overwhelming majority (89%) of the respondents acknowledged that they were aware of how customary and traditional institutions could be strengthened to improve their participation in governance. Of these, 39% mentioned their involvement in the planning and execution of policies, 33% cited the provision of government funding for their initiatives, and 27% mentioned capacity-building in local governance.

- Increased political violence (38%), disagreements between the country's major political leaders (18%), increased ethnic tensions (18%), corruption in the national and county governments (10%) and the lack of electoral reforms (8%) were mentioned as the main electoral concerns as the 2022 general election approaches.

- More than three in every five (63%) respondents affirmed that there were equal opportunities for men and women in electoral processes. However, 33% were of the view that men and women did not have equal opportunities, whereas 4% were not sure.

- A larger percentage of Kenyans (42%) were indifferent regarding the independence of county assemblies, whereas another 43% of the respondents felt that the National Assembly and the Senate were independent.

- Almost all of the respondents (97%) acknowledged that they were aware of government efforts to strengthen devolution by allocating more funds to county governments (26%), encouraging public participation in decision-making at the county level (22%) and prosecuting corrupt officials within county governments (21%).

Chapter 1
INTRODUCTION AND SURVEY BACKGROUND

1.1. BACKGROUND TO THE STUDY

History of the Kenyan Constitution
Kenya's 2010 Constitution replaced the 1969 Constitution, which had replaced the 1963 Constitution, which was adopted following independence. A draft of the current Constitution was presented to the attorney general of Kenya on 7 April 2010, officially published on 6 May 2010 and subjected to a referendum on 4 August 2010. The Constitution was approved by 67% of Kenyan voters and promulgated on 27 August 2010.

The 2010 Constitution enhanced the presidential system of governance and gave birth to devolution in the country, the aim of which was to bring resources closer to the people through the 47 county governments. The Constitution also reinforced democracy by introducing a strong legal framework to enhance participatory governance at the levels of the devolved and national governments.

Devolution
The new Constitution established a devolved government with 47 county governments. The county governments began functioning soon after the March 2013 elections, which included the election of county governors, deputy governors and representatives. The new county governments were now in charge of overseeing some functions, such as the provision of health care and pre-primary education as well as the maintenance of local roads, which were previously the responsibility of Kenya's national government. In turn, these county governments would receive a share of national revenues. The county governments would also be expected to mobilize revenue from other sources within their counties.

Other objectives of devolution outlined in the Constitution include promoting the democratic and accountable exercise of power, enhancing popular

> **The 2010 Constitution enhanced the presidential system of governance and gave birth to devolution in the country.**

participation in the exercise of the powers of the state and in decision-making that affects citizens, protecting and promoting the interests and rights of minorities and marginalized communities, promoting social and economic development, and providing easily accessible services throughout Kenya. Devolution was intended to bring services closer to the people and create a platform that would enable women, marginalized communities and minorities to participate more effectively in decisions that affected their economic and political well-being. In the post-2013 system, county governments were given a constitutional mandate to raise revenue and to develop and implement budgets, plans and policies for delivering effective services that improve the welfare of Kenyans.

Notably, devolution remains popular among Kenyans. A survey conducted by Infotrak Research and Consulting, revealed that 73% of Kenyans feel that Kenya is doing better now as compared with before devolution (Infotrak Research and Consulting n.d.). Media reports have also featured great developments in the counties that can be attributed to devolution, such as the Kitui County Textile Centre (Mutua 2018), the Kakamega County General Teaching and Referral Hospital (Otenyo 2019), and the Makueni Fruit Processing Plant, among many others (Nzioka 2018). These developments have created job opportunities at the county level, thus improving the livelihoods of the local people involved across value chains.

Notwithstanding the many gains that devolution has brought to Kenyans, public participation in devolved governance remains a challenge. Many people remain unaware of their county governments, with a few actively keeping their county leadership on course. The devolved system of governance has also been criticized largely because of the cost burden it has placed on citizens. Further, county governments have been accused of mirroring the vices witnessed at the national level—namely nepotism and corruption. In addition, there exist recurrent frictions between national and county governments especially with regard to the discharge of functions and sharing of national revenue. For instance, the central government is constitutionally mandated to formulate national policy for implementation by both levels of government. Whereas the Ministry of Public Service, Youth, Gender, Senior Citizens Affairs and Special Programmes is tasked with developing national policy on gender-mainstreaming, it is yet to develop a substantive policy or regulations that can be adopted at both national and county levels.

The 2010 Constitution has played an important role in boosting gender representation in Kenya.

The Constitution and gender representation

The 2010 Constitution has played an important role in boosting gender representation in Kenya, a country whose political space has for decades been male-dominated. The Constitution introduced the position of women representatives in the National Assembly and a legal framework for achieving the two-thirds gender rule in elective and appointive offices. Despite the fact that this legal framework has not yet been fully implemented, there is hope that the problem of gender inequality in Kenyan governance will be resolved in the near future.

It is noteworthy that the National Gender and Equality Commission guidelines on gender-responsive budgeting are not widely known and cannot be implemented, while the Treasury, which formulates national economic policy and planning, is yet to develop guidelines or a policy establishing how both national and county governments should mainstream gender equality during budgeting and planning. There is therefore no coherent national approach to entrenching gender equality in Kenya, resulting in a lack of accountability. As such, it is often difficult to determine what outcomes have been achieved through various initiatives, as there is a lack of reporting on their performance.

Partly as a result, most county governments lack formal strategies for gender-mainstreaming, and they often group women, people with disabilities, young people, the elderly and children together under 'special interest groups', thus failing to consider the different dynamics and needs of each group. Women's empowerment programmes offered by the various county governments are often piecemeal and short-term in scope, and they lean towards traditional roles. Most county governments allocate spaces to women by encouraging women to organize themselves in the form of self-help groups for collective projects. While this has had some positive effects in some counties, it does not address fundamental issues of inequality and historical injustice. Furthermore, such projects and programmes often account for less than 1 per cent of county budgets, are politically motivated are unaligned with county governments' wider economic agendas, and are thus unsustainable in the long run.

1.2. CONCEPTUAL NEED

Our conceptual understanding of the assignment

As much as devolution gave birth to local governments and brought services closer to the people, capacity issues have been experienced at the county level. Citizens continue to push for democracy at the county level, expecting to enjoy service delivery that includes everyone and respects human rights. They expect county governments to consider their views while making decisions and formulating policies. In essence, true socio-economic development will be realized at the local level if democracy is practised in the counties.

Citizens therefore have a responsibility to be politically conscious; they have access to information and can be involved in the county governance by participating in lawmaking, budgeting and other activities

Citizens therefore have a responsibility to be politically conscious; they have access to information and can be involved in the county governance by participating in lawmaking, budgeting and other activities. In particular, they must be aware of their rights and responsibilities in the devolved form of governance. It is also prudent for the public to understand the channels through which they can exercise their democratic rights and responsibilities in the changing system of governance from the traditional centralized form to a devolved one.

There is a need therefore to conduct regular assessments of the state of democratic governance to identify the progress made while also identifying emerging challenges in order to inform the duty bearers. International IDEA

provides a strong framework for helping citizens to conduct a 'health check' of democratic governance at their local level in order to identify strengths and weaknesses, and to translate these into local reform and development priorities. This framework is referred to as the State of Local Democracy (SoLD). International IDEA's SoLD method consists of three parts: (1) principles and mediating values; (2) pillars and search questions; and (3) how to develop an assessment.

CMD-Kenya commissioned Infotrak Research and Consulting to apply International IDEA's SoLD framework while conducting a pilot gender-sensitive assessment of the state of democratic governance in 24 selected counties in Kenya. In conducting the assessment, Infotrak tailored the SoLD framework to suit the Kenyan context.

1.3. **OBJECTIVES OF THE STUDY**

General objective

The overall objective of the undertaking was to review International IDEA's SoLD framework and conduct a pilot gender-sensitive assessment of the state of democratic governance in selected counties. The assessment sought to capture the voice of citizens and contribute to strengthening local and national governments' responsiveness to the needs and aspirations of citizens.

The assessment also had several specific objectives, including (a) reviewing and adapting International IDEA's SoLD framework and tailoring it to the situation in Kenya; (b) conducting a pilot citizenry-led and gender-sensitive SoLD assessment in 24 counties across 8 regions; and (c) generating a concise report detailing the state of local democracy and citizen participation in the target counties, including issues of gender and inclusion.

Chapter 2
SCOPE, APPROACH AND METHODOLOGY

2.1. **APPROACH**

This study utilized International IDEA's SoLD framework, which was tailored to the Kenyan context in order to complete a gender-sensitive assessment of the state of local democracy governance. This involved an eight-step assessment guide (International IDEA n.d.) for the Kenyan context. The eight steps are summarized below:

Step 1. Preparation, timing and partnership-building, which involved the following activities:
- ascertain the added value of a SoLD assessment;
- agree on benchmarks;
- plan the timing of the assessment;
- engage reformers through partnership-building;
- establish the required financial, human and time resources.

Step 2. Assessment organization:
- set up a core assessment team;
- establish a consultative team.

Step 3. Assessment design and work plan:
- contextualize the questionnaire;
- establish a work plan, budget and duration;
- public launch.

Step 4. Data collection and analysis:
- decide on data collection techniques;
- data interpretation, analysis and developing a narrative.

Step 5. Report writing and recommendations:
- write the draft report;
- develop recommendations;
- identify short-, medium- and long-term options.

Step 6. Validation workshops and report finalization:
- organize validation workshops;
- finalize the assessment report.

Step 7. Publication, dissemination, advocacy for reform:
- choose the publication format;
- roll out dissemination and advocacy strategy.

Step 8. Evaluation and next steps:
- look back and evaluate the assessment;
- consider local indicators and institutionalizing SoLD.

A three-pronged approach was adopted that entailed desk research, quantitative research and qualitative research (see Figure 1).

Figure 1. **Research methodology**

DESK RESEARCH

Review of the relevant documents, publications and reports

QUANTITIVE RESEARCH

Computer-assisted personal interviews with members of the public in the selected counties

QUALITATIVE RESEARCH

Focus group discussions with members of the public and **key informant interviews** with relevant stakeholders on local democracy and gender inclusion

2.2. **METHODOLOGY**

Desk review

A desk review was important for this study, as it informed the research team about International IDEA's SoLD framework, which was the basis for this assessment.

The essential documents reviewed included but were not limited to the following: the SoLD framework, available reports on similar assessments from around the world, reports on gender inclusion in governance in Kenya and Infotrak's CountyTrak reports on the state of devolution in Kenya.

This review was critical to tailoring the SoLD framework to Kenya and implementing the assignment. The review was also expected to yield important information and insights to complement the primary data in writing the report and detailing the state of local democracy and citizen participation in the target counties, including issues of gender and inclusion.

Quantitative research

A quantitative survey was conducted to gather data across the selected areas.

A multistage probability-proportion-to-size selection method was adopted. The survey covered eight regions and targeted the adult population (18 years old and above) living in those regions.

Respondents were sampled from a population that was aggregated into counties, sub-counties (constituencies) and wards. These populations formed the basis of the multistage probability sampling strategy that was used in the survey.

The survey targeted members of the public in 24 counties across eight regions of Kenya. Interviews were conducted via computer-assisted personal interviewing and used a mostly structured questionnaire containing both closed-ended and open-ended questions. The questionnaires covered all key exploratory areas. A pilot test of the questionnaire was conducted before actual data collection commenced. This made it possible to gauge the saliency and clarity of the questions as well as their flow.

Random identification of households

The sampling frame was developed using the 2019 Kenya Population and Housing Census. Households were selected using a household selection grid. Once the research team arrived at the sampled sub-location, the supervisor identified the starting point; typically, this was a street or a conspicuous landmark within the sub-location. Guided by the left-hand (anti-clockwise) rule, skip interval and successful interviews, the interviewers then randomly picked households to be interviewed.

Once the starting point in the enumeration area was chosen, the enumerator randomly selected the first household, then, guided by the skip interval and left-hand rule, sampled other households to be included in the survey. The skip interval was five for urban areas and four for rural areas. In urban areas with flats, only one interview was conducted per flat. In each sampled sub-location, about 10 interviews were conducted.

Where a household was sampled and nobody was home, or the occupants refused to participate in the survey, the interviewer moved to the next household. Only one eligible respondent was interviewed per household. All households sampled and visited were listed on a contact sheet to assist in quality control.

Respondent selection
The Kish grid was used to select respondents at the household level. The Kish grid provided a selection procedure and was intended to select persons within a household with equal probability. The enumerator listed all the eligible members of the household (in this case, persons residing in the household 18 years of age or above) in a systematic order, by age (i.e. starting with the oldest person) as well as gender for each eligible household member. A pre-assigned random number was then used to determine the household member to be interviewed. The CAPI (computer-assisted personal interviewing) software was modified to integrate an automatic respondent selection using the Kish grid.

Sampling design
A multistage sampling method was adopted as described below.

Stage 1: The population included in the sample came from all eight target regions.

Stage 2: Within each region, counties were selected based on demographic, socio-economic and political profiles. The counties formed the primary sampling unit.

Stage 3: Within each selected county, sub-counties (constituencies) were selected based on demographic, socio-economic and political profiles as well as geographical locations within the respective counties.

Stage 4: Within the selected sub-counties (constituencies), wards were the final sampling units for the survey. Wards were sampled on the basis of location and population structures.

Stage 5: From the sampled wards, respondents were drawn through simple random sampling methods.

Sample calculation
When choosing the sample size, the goal of estimating the true proportion *p* with an accuracy (that is, standard error) of no worse than 0.05, or 5 percentage points, from a random sample of size *n* was considered.

Substituting the estimated value of 0.5 (the estimated proportion of an attribute that is present in the population) for p yielded a standard error of $\sqrt{(0.5 \times 0.5/n)} = 0.5/\sqrt{n}$, and so we need the standard error $0.5/\sqrt{n} < 0.05$. The Cochran equation 1 below shows the calculation of a representative sample for the proportions:

$$n = \frac{Z^2 p(1-p)}{e^2}$$

where n is the sample size, Z is the critical value at the desired confidence level of 95 per cent (usually set at 1.96), e is the desired level of precision, and p is the estimated proportion of an attribute that is present in the population.

The desired level of precision (e) is set a $0.01789 = (Z \times 0.5/\sqrt{n}) < 0.05$.

Substituting the values:

$$n = \frac{1.96^2 \times 0.5(1-0.5)}{0.01789^2} = 2{,}400$$

Sampling methodology
1. Sampling approach: multistage cluster sampling.
2. Respondent sampling (random and systematic sampling): $n = 2{,}400$.
3. Method of data collection: CAPI.
4. Sample coverage: 24 counties.

Sample distribution
The sample was distributed using the population proportionate to size across the 24 counties. The distribution of the sample is shown in Table 1.

Table 1. **Achieved quantitative sample**

County	Total population as per 2019 census	Adult population as per 2019 census	Achieved sample
Mombasa	1,208,333	761,250	87
Kwale	866,820	416,074	48
Kilifi	1,453,787	726,894	83
Garissa	841,353	378,609	95
Isiolo	268,002	125,961	23
Embu	608,599	377,331	69
Kitui	1,136,187	590,817	109
Machakos	1,421,932	867,379	159
Nyeri	759,164	485,865	64

Table 1. **Achieved quantitative sample (cont.)**

County	Total population as per 2019 census	Adult population as per 2019 census	Achieved sample
Kirinyaga	610,411	396,767	52
Kiambu	2,417,735	1,547,350	204
West Pokot	621,241	260,921	45
Uasin Gishu	1,163,186	651,384	112
Nandi	885,711	469,427	81
Nakuru	2,162,202	1,189,211	205
Narok	1,157,873	509,464	88
Kericho	901,777	477,942	82
Kakamega	1,867,579	933,790	100
Bungoma	1,670,570	785,168	84
Busia	893,681	437,904	47
Kisumu	1,155,574	612,454	99
Homa Bay	1,131,950	543,336	88
Kisii	1,266,860	658,767	107
Nairobi City	4,397,073	2,858,097	267
Total		Margin of error: **±2%**	**2,400**

Qualitative approach

The study adopted a qualitative approach with focus group discussions with members of the public and key informant interviews with key stakeholders who work with citizens and play a part in the attainment of local democracy and gender inclusion.

Key informant interviews

The expected output here was to have one-on-one or virtual discussions using a semi-structured interview guide for key stakeholders who work with citizens at the local level on democracy, governance and gender inclusion. A total of 13 interviews were conducted, the distribution of which is highlighted in Table 2.

Table 2. **Key informant interviews sample**

Stakeholders	Target	Achieved	Deficit
County executive committee members in charge of devolution	8	4	4
Council of Governors	4	2	2
Political parties (purposively selected political parties)	5	5	0
Civil society organizations working on local governance, democracy and gender inclusion	3	2	1
Total	**20**	**13**	**7**

The guide for key informant interviews covered all the key exploratory areas as stipulated in the objectives of the study. The guide had predominantly open-ended, deep probing questions that allowed the respondent to do most of the talking. The process of recruitment and execution of the key informant interviews were conducted physically and via videotelephony.

Focus group discussions
FGDs were conducted with citizens of the targeted pilot counties to gather qualitative issues of governance, public participation, democracy in county governments and other issues of interest in this assessment. The groups were distributed based on age and gender such that we had groups of young people, men and women. Through the FGDs, we gained an in-depth understanding of local democracy, governance, public participation in county matters and politics as well as gender inclusion.

FGD make-up
The target was 10 groups distributed purposively across the targeted counties. The groups were distributed to include more women and youth groups in order to better capture issues of gender and inclusion in governance at the local level. The groups comprised 10 participants and were structured as shown in Table 3.

Table 3. **FGDs' make-up**

Category	Location	Gender	Target FGDs	Achieved FGDs
Youth (18–25 years)	Nyeri, Makueni	*Mixed*	2	2
Youth (26–35 years)	Nairobi, Kakamega	*Mixed*	2	2
36 years and above	Mombasa, Garissa, Uasin Gishu, Kisumu	*Female*	4	4
36 years and above	Makueni, Uasin Gishu	*Male*	2	2
Total			**10**	**10**

Chapter 3
MAIN FINDINGS

3.1. CITIZENSHIP AT THE LOCAL LEVEL

Kenya promulgated a new Constitution in August 2010, creating a solid legal platform for the enhancement of participatory governance through devolved structures at the county level. The emphasis on devolution was spurred by shortfalls that are often distinctive of highly centralized systems, including the marginalization of local communities in development processes (Kenya Law Reform Commission n.d.).

The establishment of a devolved system of government aimed to facilitate access to power and move control over resources from the central government to the counties. The intention was to accelerate socio-economic development at the county level in addition to strengthening democratic governance in the devolved units. However, while resources and power were devolved, the rate of citizen participation in county governance is still limited. This is due, in part, to the fact that citizens are largely uninformed about their role in county governance.

While devolution is highly popular among Kenyan citizens, there has also been criticism of the costs involved, of the increased competition between officers, and of corruption and ethnic competition, which have arisen across much of the country. Many counties are now controlled by opposition governors—or at least governors who were not elected as members of the ruling coalition—meaning Kenya now features a number of influential regional leaders who have a vested interest in defending and strengthening devolution.

Article 1(4) of the 2010 Constitution provides for two levels of government in Kenya (Kenya Law n.d.). Further, it provides distinct functions for each level of government, the county and national level. The county governments are semi-autonomous (i.e. having some degree of autonomy but not complete self-government), meaning they can act independently of the national government to a certain degree.

Awareness of national and county governments

Kenyans have a relatively high degree of awareness of the levels of government. The survey revealed that 90% of Kenyans are aware of the levels of government. Of these, 96% and were aware of the national level, and 93% were aware of the county level, as shown in Figure 2.

Figure 2. **Overall awareness of levels and arms of government**

Qn: Are you aware of the levels of government in Kenya?

n=2,470

Qn: Are you aware of the arms of government at the national government and county governments?

n=2,225
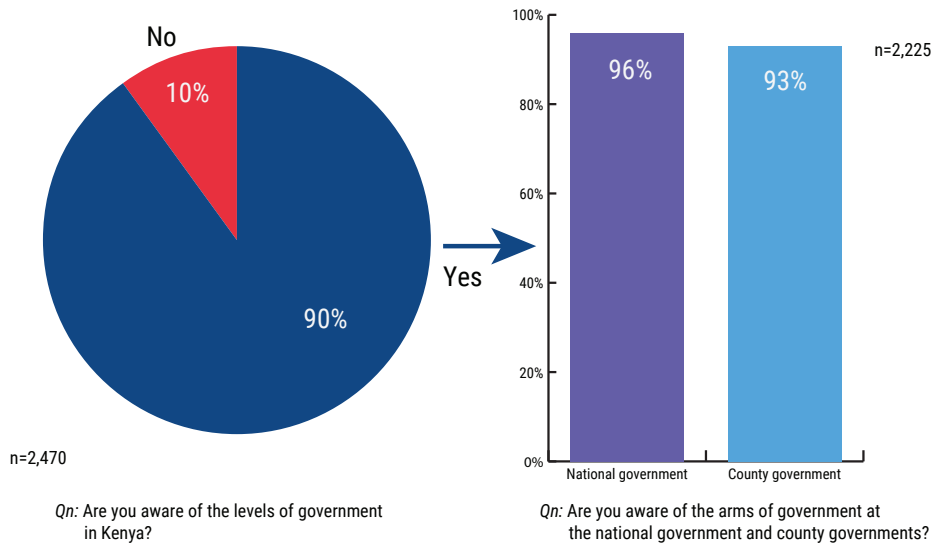
Regionally, awareness levels were highest in Rift Valley (96%), followed by the Western (92%) and North Eastern (92%) regions, and lowest in Nairobi region (84%) and Coast region (83%). Further, the survey revealed that there was a high level of awareness in urban areas (93%), as compared with rural (89%) areas, as presented in Figure 3.

Figure 3. **Awareness of the levels of government, by region**
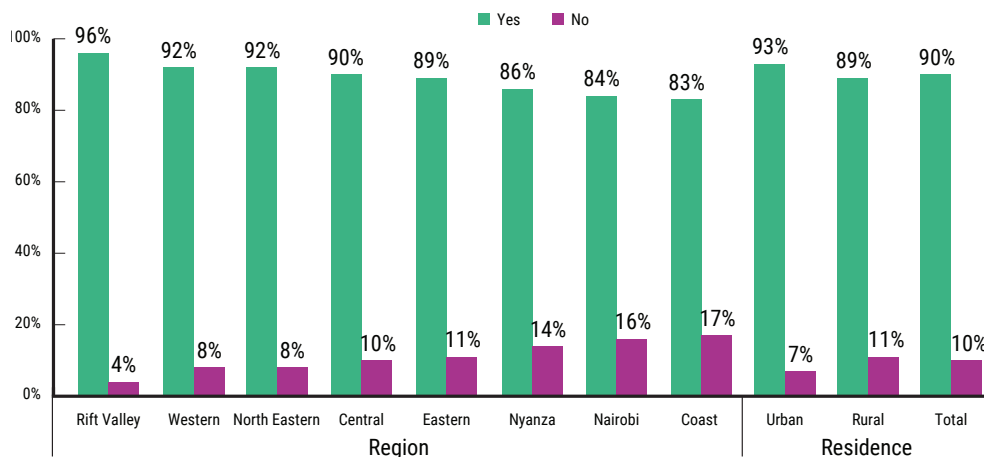
Qn: Are you aware of the levels of government in Kenya?

Awareness of the levels of government was higher among men (92%) than women (89%). Additionally, it was higher among younger respondents (>91% for those aged 45 or below) as compared with their older counterparts (<90% for those aged 46 or above) (see Figure 4).

Figure 4. **Awareness of the levels of government, by gender and age**
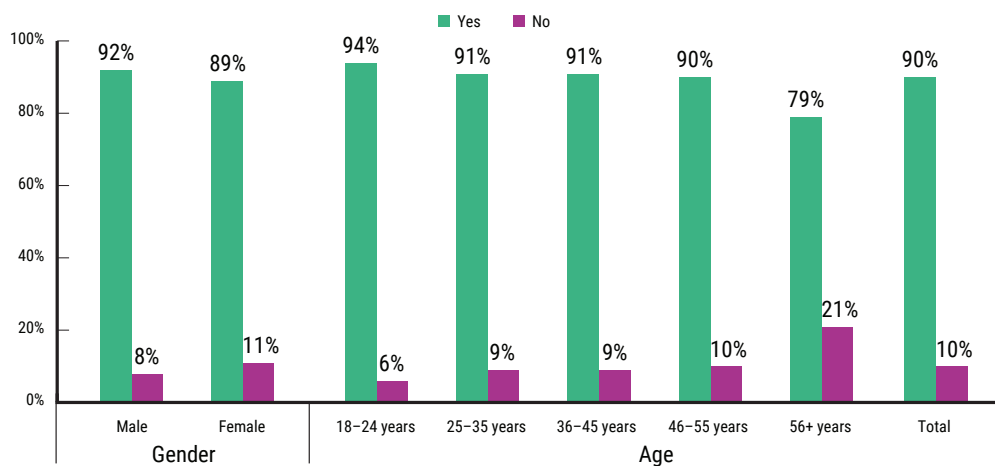
Qn: Are you aware of the levels of government in Kenya?

Awareness of the arms of national government

Article 1 of the Constitution states that all sovereign power belongs to the people of Kenya, but it is delegated, at the national level, to the executive, the judiciary and the legislature (Kenya Law n.d.). Chapters 8, 9 and 10 of the Constitution further expound on the structure of the national government in Kenya through provisions on the three arms. The three arms are thus empowered to exercise sovereign power at the national level. In performing their responsibilities, the arms of government are expected to uphold the national values and principles of governance stipulated in article 10 of the Constitution.

The survey established that levels of awareness of the arms of the national government were high, with approximately 9 in 10 (89%) of the respondents acknowledging that they were cognizant of the three arms. Of these, 93% were aware of the executive; 89%, the legislature; and 80%, the judiciary, as highlighted in Figure 5.

Figure 5. Overall awareness of the arms of government at the national level

Qn: Are you aware of the arms of government
at the national level?

Qn: Which arms of government at the national level are
you aware of?
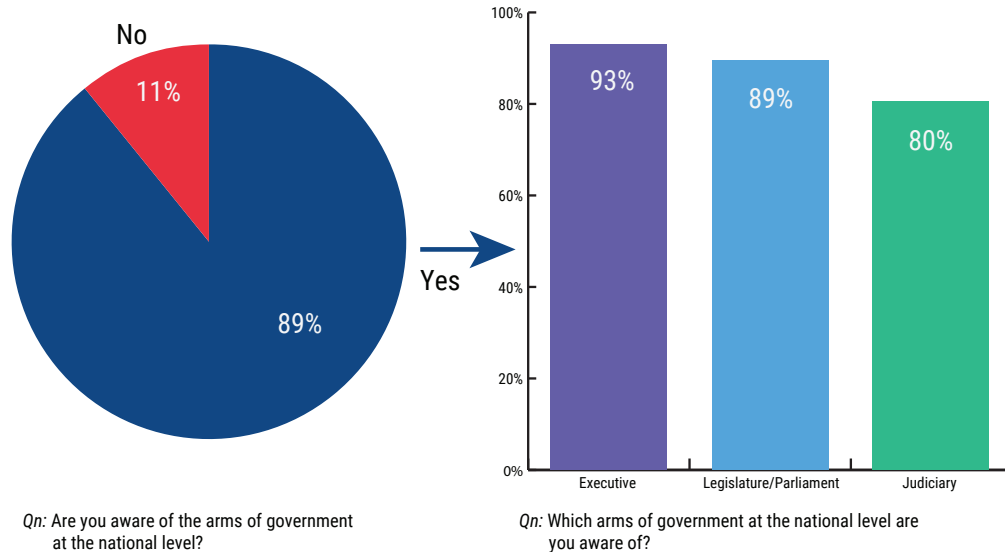
Awareness of the three arms of government was highest in the Rift Valley (96%), North Eastern (94%) and Western (91%) regions, and lowest in the Nyanza (83%) and Coast (81%) regions. Urban residents (92%) were more aware of the levels of the national government than their rural counterparts (88%), as shown in Figure 6.

Figure 6. Awareness of the arms of government at the national level, by region

Qn: Are you aware of the arms of government at the national level?
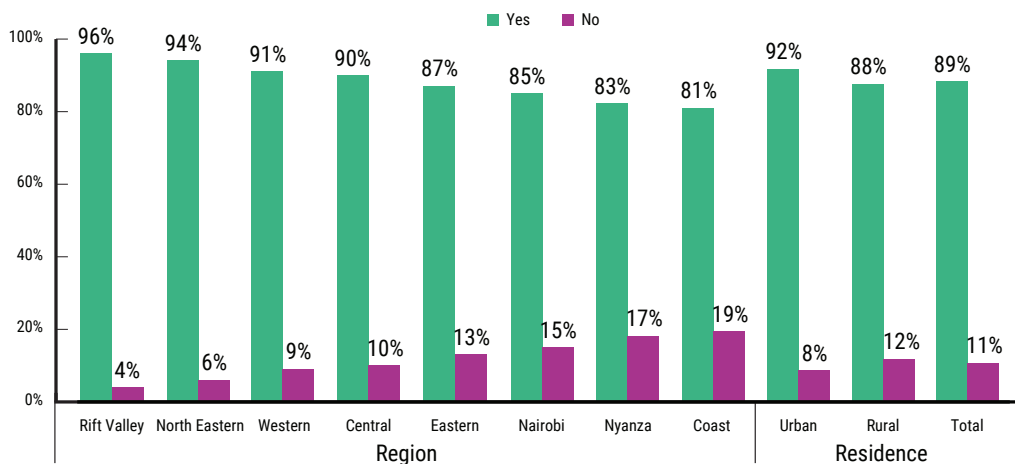
Men (91%) were marginally more aware of the arms of the national government than women (88%). Further, respondents 45 years old or younger were more aware (>90%) of the arms of the national government than those 46 years of age and above (<90%), as highlighted in Figure 7.

Figure 7. **Awareness of the arms of government at the national level, by gender and age**
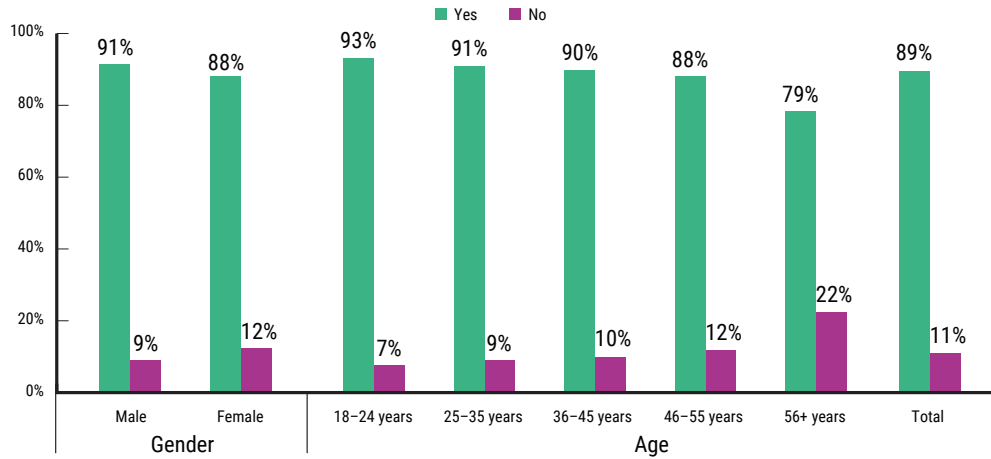
Qn: Are you aware of the arms of government at the national level?

Awareness of the arms of county government

The structure of county governments mirrors that of the national government to a great extent. The delegation of power and services determines who oversees the administrative, policy and other functions of the county government. In summary, the structure of county governments in Kenya comprises two arms: the county executive (committee), provided for under article 179 of the Constitution, and the legislature (county assembly).

Findings from the survey indicate that a majority of the respondents were aware of the arms of government at the county level. Of these, 92% were aware of the county assembly, and 89% were aware of the county executive, whereas 1% mentioned the county public service board, as shown in Figure 8.

Figure 8. **Overall awareness of the arms of government at the county level**
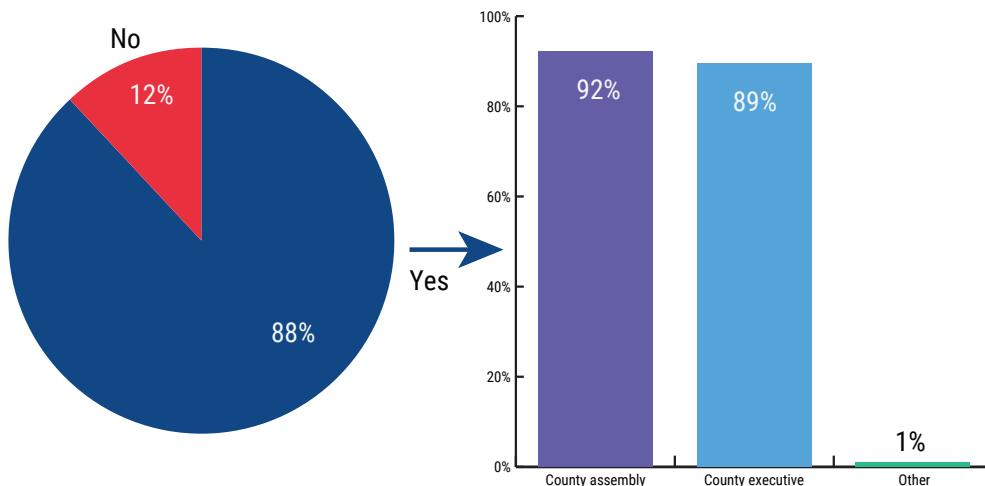
Qn: Are you aware of the arms of government at the county level?

Qn: Which arms of government at the county level are you aware of?

Regionally, the Rift Valley (96%), North Eastern (94%) and Western (91%) regions accounted for the highest proportions of surveyed residents who affirmed that they were aware of the levels of county government. On the other hand, the Nairobi (78%) and Coast (76%) regions accounted for the lowest proportions, as shown in Figure 9.

Figure 9. **Awareness of the arms of government at the county level, by region**
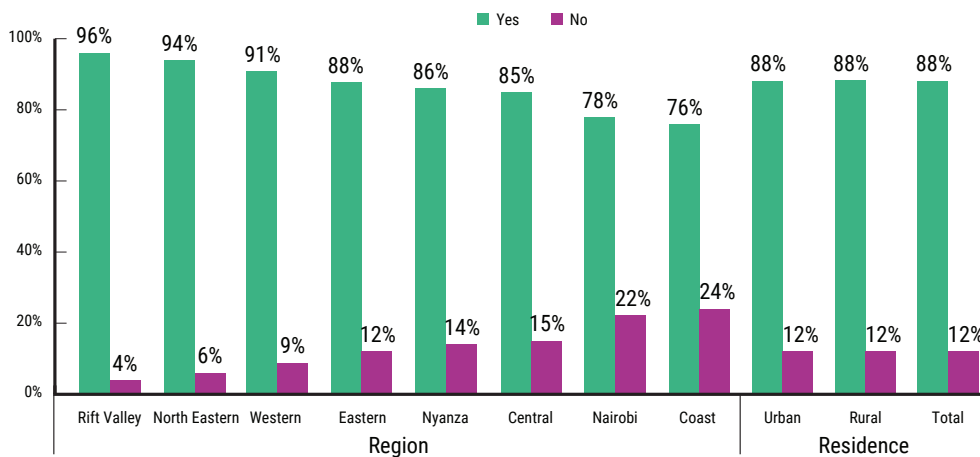
Qn: Are you aware of the arms of government at the county level?

Male (89%) and female (88%) respondents were aware of the arms of government at the county level in almost equal proportions. In terms of age, more respondents in the 18–24 group (90%) and the 46–55 group (90%) were aware of the levels of government at the county level as compared with members of the other age groups, as presented in Figure 10.

Figure 10. **Awareness of the arms of government at the county level, by gender and age**
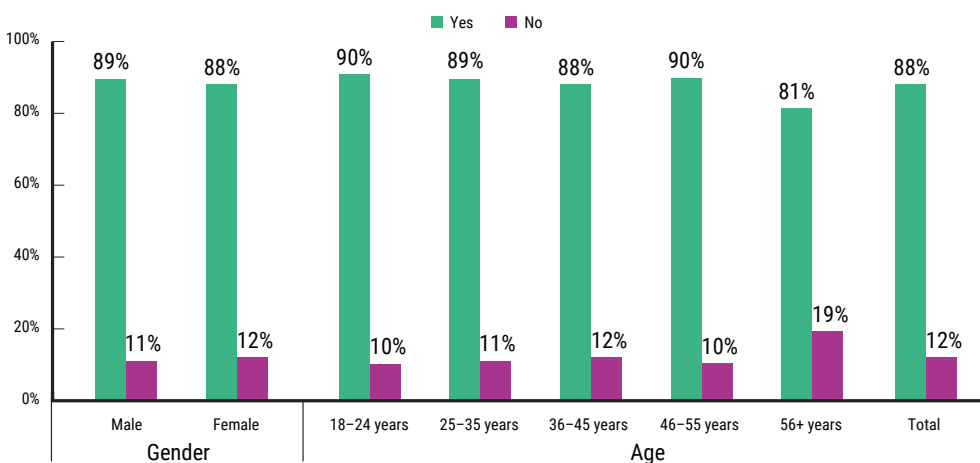
Qn: Are you aware of the arms of government at the county level?

3.2. CIVIL AND POLITICAL RIGHTS

Equal treatment of citizens

A majority (53%) of the respondents felt they were treated equally with regard to addressing their concerns, interests and rights. However, a considerable proportion (42%) felt that the government did not treat all people equally in terms of addressing their concerns, rights and interests (see Figure 11).

Figure 11. **Feedback on whether the government treats its citizens equally**
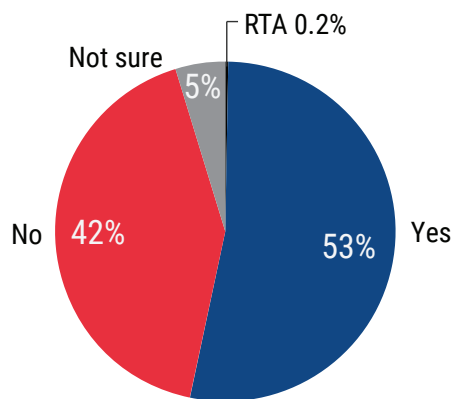
Qn: Several reforms have been put in place since Kenya's independence in 1963. At the present moment, would you say the government treats all people equally, especially with regard to addressing their concerns, interests and rights?

Quotes from FGD respondents

'Yes, there is equality.'

'I can say the government assumes that we are equal but, on the ground, things are different because, you see, like now when we are approaching the elections, they become so good to us, but after the election, everybody will go on his way.'

'There are disparities between the rich and the poor. The poor are less privileged compared to the rich.'

'The country is divided into two. With the current political climate, the rich, who yearn to lead, are after the poor, vigorously seeking to secure their votes. [At] these times the poor are valued, but in the last four years we have not had their attention. But come election period, they remember us.'

'[T]he youth are fed [up] with the government. I have carried out research and found out that most people say they won't vote. They feel the leaders will not help them. Why vote [for] someone who will not help you? You still remain unemployed and suffer even if you complain. We have realized it's every man for himself. The government doesn't care.'

Regionally, the majority of the respondents in the Central (57%), North Eastern (52%) and Eastern (50%) regions felt that the government did not treat people equally, especially with regard to addressing their concerns, interests and rights. On the other hand, the majority of the respondents in the Western (69%) and Rift Valley (65%) regions indicated that the government treated people equally when it came to addressing their concerns, interests and rights (see Table 4).

Table 4. **Feedback on whether the government treats citizens equally, by region**

		Yes	No	Not sure	RTA
Region	Western	69%	28%	3%	–
	Rift Valley	65%	29%	6%	0.1%
	Nairobi	52%	47%	2%	–
	Coast	51%	44%	6%	–
	Nyanza	45%	46%	9%	0.2%
	North Eastern	42%	52%	4%	2%
	Eastern	41%	50%	8%	1%
	Central	39%	57%	4%	–
Residence	Urban	53%	42%	4%	0.3%
	Rural	52%	41%	6%	0.2%
	Average	**53%**	**42%**	**5%**	**0.2%**

Qn: Several reforms have been put in place since Kenya's independence in 1963. At the present moment, would you say the government treats all people equally, especially with regard to addressing their concerns, interests and rights?

Almost equal percentages of men (52%) and women (53%) felt that the government treated people equally when it came to addressing their concerns, interests and rights. Further, respondents 46 years of age and above (55%), marginally more than the other age groups, said that the government treated all people equally in terms of addressing their concerns and interests (see Table 5).

Table 5. **Feedback on whether the government treats citizens equally, by gender and age**

		Yes	No	Not sure	RTA
Gender	Male	52%	44%	4%	0.3%
	Female	53%	40%	7%	0.2%

Table 5. **Feedback on whether the government treats citizens equally, by gender and age (cont.)**

		Yes	No	Not sure	RTA
Age	18–24 years	53%	41%	5%	0.3%
	25–35 years	51%	44%	5%	0.3%
	36–45 years	52%	42%	6%	0.4%
	46–55 years	55%	42%	3%	–
	56+ years	55%	36%	9%	–
	Average	**53%**	**42%**	**5%**	**0.2%**

Qn: Several reforms have been put in place since Kenya's independence in 1963. At the present moment, would you say the government treats all people equally, especially with regard to addressing their concerns, interests and rights?

The survey further found that a majority of PLWDs (52%) felt that the government did not treat citizens equally. On the other hand, the majority of non-PLWDs (53%) were of the opinion that the government treated citizens equally. It is worth noting that a considerable proportion of non-PLWDs said that the government was not fair in how it treats citizens, as shown in Figure 12.

Figure 12. **Feedback on whether the government treats citizens equally: PLWDs vs non-PLWDs**
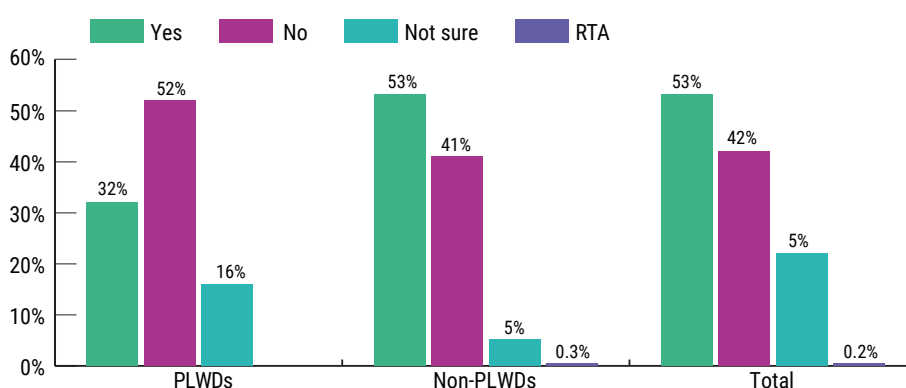
Qn: Several reforms have been put in place since Kenya's independence in 1963. At the present moment, would you say the government treats all people equally, especially with regard to addressing their concerns, interests and rights?

Equal opportunities in the political, economic, cultural and social spheres
The survey found that more than half (54%) of the respondents acknowledged that women and men had the right to equal opportunities in the political, economic, cultural and social spheres. On the other hand, a considerable

proportion of respondents (40%) were of the contrary opinion, as presented in Figure 13.

Figure 13. **Perceptions of the existence of equal rights for both men and women**
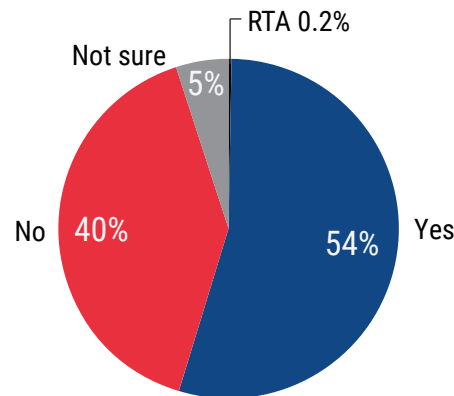
Qn: As per the 2010 Constitution of Kenya, women and men have the right to equal treatment, including the right to equal opportunities in the political, economic, cultural and social spheres. In your opinion, is this the case in practice?

Quotes from FGD respondents

'I'm on the fence on this. During elections, people want male leaders, but when seeking job opportunities institutions like hospitals treat both genders equally.'

'I think they are treated equally.'

'[I]t's a double-edged sword, where men and women are not treated equally for public positions that are sought…, but in statement, they are treated equally.'

'It can be yes or no, depending on the locality of the person. Maybe if you are in Nairobi, you can say you have a bit of equal opportunity, but if you are somewhere like in Tana River, then you have a problem because there, we have issues like cultural activities; there might be no equal right because there are so many things in consideration. I can say a woman is given an opportunity to vie for maybe governor depending on the locality.'

'I think women are so much exposed to politics and any other opportunities that come around, and so many women have come out to vie for…seats, and they want to do what men can do. So, I believe every woman wants to do something better than a man [has] done before.'

It is noteworthy that, while a majority of respondents from the Western (68%), Nairobi (61%), Coast (61%) and Rift Valley (60%) regions were of the opinion that women and men had the right to equal opportunities in the political, economic, cultural and social spheres, a majority of those from the North Eastern (61%) and Central (53%) regions were of a contrary opinion, as shown in Table 6.

Table 6. **Perceptions of the existence of equal rights for both men and women, by region**

		Yes	No	Not sure	RTA
Region	Western	68%	29%	3%	0.3%
	Nairobi	61%	38%	2%	–
	Coast	61%	31%	9%	–
	Rift Valley	60%	34%	5%	0.5%
	Central	46%	53%	1%	–
	Eastern	45%	47%	7%	0.5%
	Nyanza	44%	46%	10%	–
	North Eastern	33%	61%	6%	–
Residence	Urban	56%	41%	3%	0.2%
	Rural	53%	40%	7%	0.2%
	Total	**54%**	**40%**	**5%**	**0.2%**

Qn: As per the 2010 Constitution of Kenya, women and men have the right to equal treatment, including the right to equal opportunities in the political, economic, cultural and social spheres. In your opinion, is this the case in practice?

A majority of PLWDs (71%) feel that men and women do not enjoy equal rights. On the contrary, a majority (55%) of non-PLWDs feel that men and women enjoy equal rights, as shown in Figure 14.

Figure 14. **Perceptions of the existence of equal rights for both men and women: by PLWDs vs non-PLWDs**
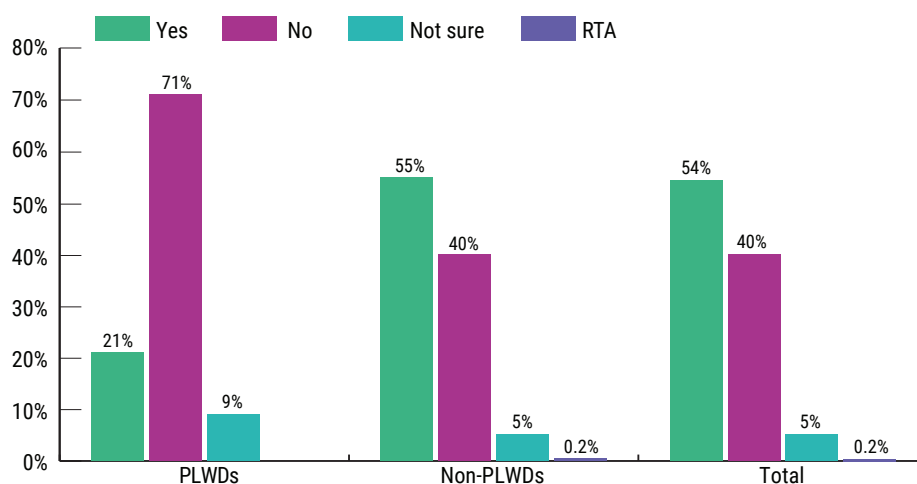
Qn: As per the 2010 Constitution of Kenya, women and men have the right to equal treatment, including the right to equal opportunities in the political, economic, cultural and social spheres. In your opinion, is this the case in practice?

Quotes from FGD respondents

'I feel there are no equal opportunities given to men and women. Job interviews are harder for women than men in an effort to secure the job.'

'I am saying no because the field has not been totally levelled; still men are

higher, or I can't say, and once they stand to vie with a woman, when a woman starts campaigning, you will hear people saying that she failed to manage her home.'

Equal opportunities for vulnerable groups in aspects of governance

Almost half (47%) of the respondents felt that other vulnerable groups such as youth, PLWDs and the elderly had not been adequately included and accepted in all aspects of governance. Only 44% of the respondents felt that vulnerable groups had been adequately included and accepted in all aspects of governance, as shown in Figure 15.

Figure 15. **Feedback on inclusion and acceptance of vulnerable groups**
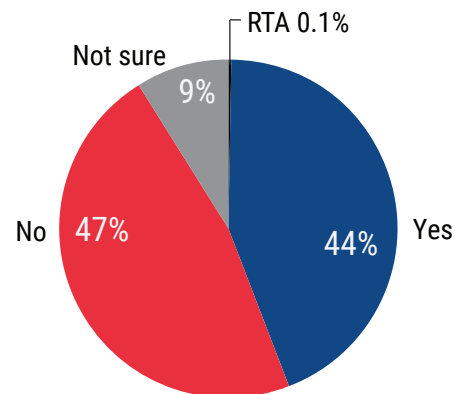
Qn: Would you say other vulnerable groups such as youth, PLWDs and the elderly have been adequately included and accepted in all aspects of governance?

Quotes from FGD respondents

'The elderly have been accepted; especially those over 50 years of age are mostly elected as leaders. I am not aware of any elected person with disabilities. So, they have not been accepted adequately.'

'Personally, I feel there is an effort towards the same [implying equal inclusion of the vulnerable]. For

instance, we have a politician who has albinism.'

'Yeah. When the others living with disabilities see this, they are hopeful of a good future for them. While some of the [elderly] are still struggling for leadership [positions], like Hon. …This makes the rest stay motivated.'

Quotes from FGD respondents

'I think Kenya is really trying, which is a good thing. But despite the effort, I feel we are viewing it the wrong way. We shouldn't vote [for someone] just because they are disabled, out of sympathy. If one can't lead, then they can't, whether standing or [in] a wheelchair.'

'It doesn't matter whether you are a [young person] or an elderly person. Actually, I would prefer [Mwai] Kibaki as my president despite him being almost 100 years old. I feel we are too sympathetic. One might be disabled,

yet he can't perform, but gets the opportunity in the name of equality.'

'Thinking just about the question that you have asked, since the opportunity [for] people with disabilities is minimal, I think they can just put aside some seats to be vied [for] by people with disabilities.'

'Let me just give an example, like Hon. Timothy Wanyonyi. You know he is disabled, and he is the MP for Westlands. Do you think he cannot be [the] governor [of] Nairobi.'

Regionally, it was mainly the respondents in the Central (66%), Nairobi (55%) and North Eastern (52%) regions who felt that other vulnerable groups, such as youth, PLWDs and the elderly, had not been adequately included and accepted in all aspects of governance. On the other hand, a majority of the surveyed residents in the Western (59%), Rift Valley (52%) and Coast (50%) regions were of the contrary opinion, as indicated in Table 7.

Table 7. **Feedback on inclusion and acceptance of vulnerable groups, by region**

		Yes	No	Not sure	RTA
Region	Western	59%	37%	4%	–
	Rift Valley	52%	41%	7%	0.2%
	Coast	50%	41%	9%	–
	North Eastern	42%	52%	5%	–
	Nairobi	39%	55%	5%	–
	Nyanza	36%	45%	19%	–
	Eastern	36%	49%	15%	–
	Central	30%	66%	3%	–
Residence	Urban	43%	49%	8%	–
	Rural	44%	46%	10%	0.1%
	Total	**44%**	**47%**	**9%**	**0.1%**

Qn: Would you say other vulnerable groups, such as youth, PLWDs and the elderly, have been adequately included and accepted in all aspects of governance?

Slightly more men (50%) than women (44%) felt that other vulnerable groups, such as youth, PLWDs and the elderly, had not been adequately included and accepted in all aspects of governance, as shown in Table 8.

Table 8. **Feedback on inclusion and acceptance of vulnerable groups, by gender and age**

		Yes	No	Not sure	RTA
Gender	Male	42%	50%	7%	0.1%
	Female	45%	44%	10%	–
Age	18–24 years	46%	42%	11%	–
	25–35 years	43%	49%	8%	0.2%
	36–45 years	46%	47%	8%	–
	46–55 years	37%	55%	7%	–
	56+ years	44%	47%	9%	–
	Total	**44%**	**47%**	**9%**	**0.1%**

Qn: Would you say other vulnerable groups, such as youth, PLWDs and the elderly, have been adequately included and accepted in all aspects of governance?

Quotes from FGD respondents

'I think, for people with disabilities, what they get is what we call sympathy votes, but I think what is there, there is [not] enough sensitization; it is not all about the disability, but it is about the capability and looking at the output.

So, there is a lot of challenges and, secondly, bad politics.'

'And that happens also with people living with [a] disability; sometimes with resources, sometimes without ground support, they can still get…favours.'

A majority (64%) of PLWD respondents indicated that vulnerable groups, such as youth, PLWDs and the elderly, had not been adequately included and accepted in all aspects of governance. A considerable proportion of non-PLWDs (47%) were of a similar opinion, as shown in Figure 16.

Figure 16. **Feedback on inclusion and acceptance of vulnerable groups, by PLWDs vs non-PLWDs**
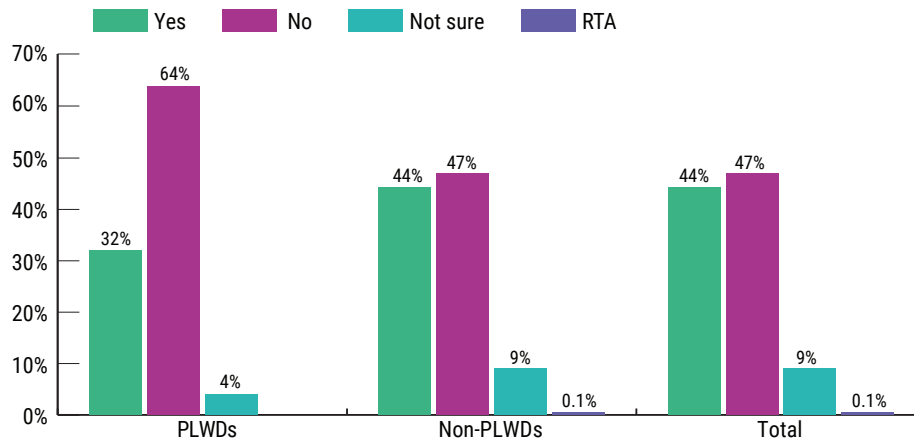
Qn: Would you say vulnerable groups, such as youth, PLWDs and the elderly, have been adequately included and accepted in all aspects of governance?

Inclusion in governance

A majority of the respondents were aware of efforts by the government to include key groups, such as women (66%), youth (58%) and PLWDs (57%), in governance and decision-making processes, as shown in Figure 17.

Figure 17. **Awareness of efforts by the government to include key groups in governance and decision-making processes**
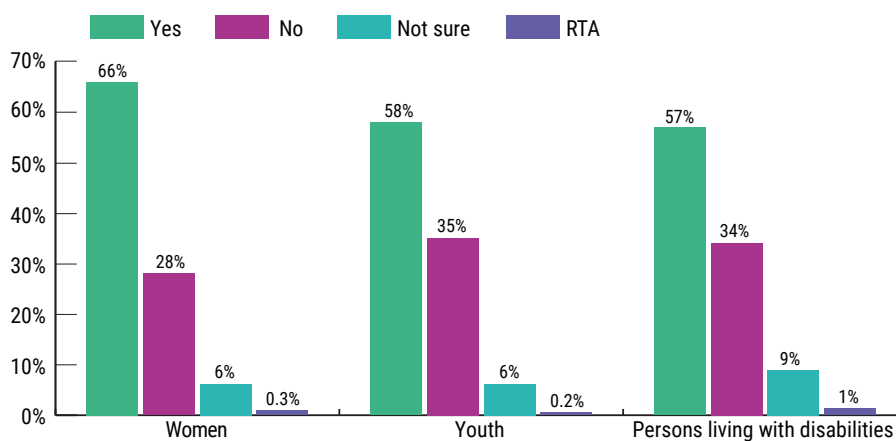
Qn: Are you aware of any efforts by the government to include the following categories of people in governance and decision-making processes?

Quotes from FGD respondents

'The introduction [of] the women representative position. It led to many ladies venturing into politics.'

'I heard of the BBI [in reference to Building Bridges Initiative] that provided for more female leadership positions.'

'I would say allowing women to take up leadership roles like [Anne] Waiguru who was initially the cabinet secretary

for devolution and now the current Governor of Kirinyaga county, having been elected by voters in the region.'

'For instance, Charity Ngilu, being the Kitui governor, has inspired women that they can reach such a level. Also, with Martha Karua vying last time, [it] shows that women can also make good presidents.'

Table 9 presents findings on respondents' awareness of government efforts to include key groups in governance and decision-making processes. The Central region recorded the lowest awareness levels for youth (38%), whereas the North Eastern region recorded the lowest awareness levels for women (33%) and persons living with disabilities (35%).

Table 9. **Awareness of efforts by the government to include key groups in governance and decision-making processes, by region**

	Yes	Youth	Women	Persons living with disabilities
Region	Rift Valley	72%	76%	68%
	Nairobi	66%	75%	57%
	Nyanza	60%	60%	57%
	Coast	57%	66%	55%
	Western	56%	67%	58%
	Eastern	50%	61%	53%
	North Eastern	47%	33%	35%
	Central	38%	60%	41%
Residence	Urban	61%	67%	53%
	Rural	57%	66%	59%
	Total	**58%**	**66%**	**57%**

Qn: Are you aware of any efforts by the government to include the following categories of people in governance and decision-making processes?

Table 10 presents a breakdown by gender and age of respondents' awareness of government efforts to include key groups in governance and decision-making processes. The survey established that slightly more females (60%)

than males (57%) and youth more than older respondents, are aware of efforts by the government to include key groups in governance and decision-making processes.

Table 10. **Awareness of efforts by the government to include key groups in governance and decision-making processes, by gender and age**

		Yes Youth	Women	Persons living with disabilities
Gender	Male	57%	66%	55%
	Female	60%	66%	58%
Age	18−24 years	63%	70%	62%
	25−35 years	60%	69%	57%
	36−45 years	60%	66%	56%
	46−55 years	51%	61%	54%
	56+ years	48%	56%	49%
	Total	**58%**	**66%**	**57%**

Qn: Are you aware of any efforts by the government to include the following categories of people in governance and decision-making processes?

Ethnic and religious conflicts as a community problem

The survey established that ethnic and religious conflicts were mostly not considered a problem within communities, as indicated by a majority (56%) of the respondents. On the other hand, 40% of the respondents were of the contrary opinion, as shown in Figure 18.

Figure 18. **Feedback on whether ethnic and religious conflicts and division are a major problem**
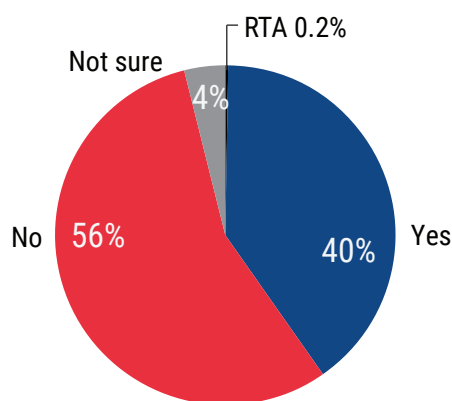
Qn: Would you say ethnic and religious conflicts and division are a major problem in your community?

Quotes from FGD respondents regarding ethnic and religious conflicts

'[W]e have seen in Kenya [that,] for a long period of time, there [have] been conflicts between the Luo and the Kikuyu, and that [this is] even [becoming] a challenge for…political aspirants; they are prevented [from entering] some regions.'

'[A]bout ethnicity—I will look at it as tribalism. I know here we have friends from different tribes, just trying to go from here and tell a Kalenjin that [William] Ruto will not be the president; they will get agitated.'

'There is a tension when some church leaders support politicians. We have the church kingpins, who give people directions.'

The North Eastern (59%) and Nyanza (51%) regions accounted for the highest proportions of respondents who indicated that ethnic and religious conflicts were a major problem, as shown in Table 11.

Table 11. **Feedback on whether ethnic and religious conflicts and division are a major problem, by region**

		Yes	No	Not sure	RTA
Region	North Eastern	59%	38%	–	3%
	Nyanza	51%	35%	13%	0.3%
	Rift Valley	46%	50%	3%	0.2%
	Central	44%	56%	0.2%	–
	Nairobi	33%	65%	2%	–
	Coast	32%	67%	2%	–
	Western	31%	67%	2%	–
	Eastern	27%	67%	6%	–
Residence	Urban	46%	51%	3%	0.3%
	Rural	37%	59%	4%	0.2%
	Total	**40%**	**56%**	**4%**	**0.2%**

Qn: Would you say ethnic and religious conflicts and division are a major problem in your community?

Tension between different ethnic and religious segments as a community problem

A majority of the respondents (57%) said that tension between ethnic and religious segments was mostly not considered a problem within communities. On the other hand, 38% of the respondents were of the contrary opinion, as presented in Figure 19.

Figure 19. **Feedback on the existence of tension between ethnic and religious groups**
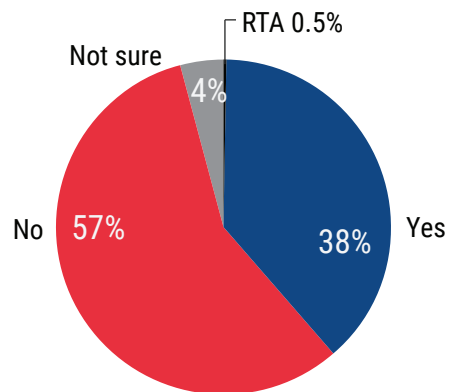
Qn: Is there tension between different ethnic and religious segments of society?

Notably, the North Eastern (54%) and Nyanza (51%) regions accounted for the highest proportions of surveyed residents who confirmed that tension between ethnic or religious groups was a major problem, as presented in Table 12.

Quotes from FGD respondents

'It [in reference to ethnic discrimination] is rampant in the county offices. For instance, I am from Baringo, but I live here; I'm a Tugen. I went to seek services at the county offices, and they told me to go back to Baringo. I had to explain that I am here to a Nandi.'

'There are few discrimination cases, but I haven't heard of any conflicts either of a religious or ethnic nature.'

'Right now, Moi University is in crisis because they ousted their Vice Chancellor who is currently in Daystar, on the sole reason that he was from a different tribe. I have seen on a social media platform that all the major posts are held by residents of this county. I would only wish they did this with an intention of promoting local people. Currently, Moi University is on a downfall, and if no action is taken, it will be a thing of the past.'

'Tribalism is widespread. For example, in Uasin Gishu we have all opportunities being awarded to the Kalenjins.'

Table 12. **Feedback on the existence of tension between ethnic and religious groups, by region**

		Yes	No	Not sure	RTA
Region	North Eastern	54%	43%	–	3%
	Nyanza	51%	36%	12%	2%
	Rift Valley	44%	52%	4%	0.4%
	Central	43%	55%	1%	–
	Nairobi	32%	65%	3%	–
	Eastern	28%	69%	3%	0.2%
	Western	27%	71%	2%	–
	Coast	24%	72%	3%	–
Residence	Urban	44%	53%	3%	0.3%
	Rural	35%	60%	4%	1%
	Total	**38%**	**57%**	**4%**	**0.5%**

Qn: Is there tension between different ethnic and religious segments of society?

Active participation of citizens in governance matters

The survey established that approximately three in five (58%) respondents felt that that the Kenyan people were not actively involved in the running of government or governance matters. Further, 35% were of the opinion that Kenyans were actively involved in governance matters, whereas 6% were uncertain, as presented in Figure 20.

Figure 20. **Kenyans' involvement in the running of government or governance matters**
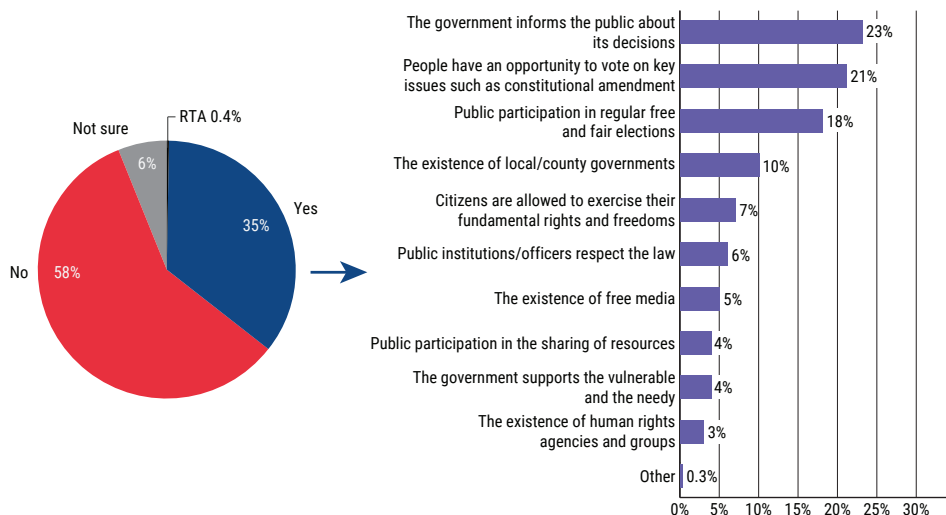
Qn: Do you think the Kenyan people are actively involved in the running of government or governance matters?

Qn: If yes, what if anything shows that the Kenyan Government is for the people and by the people?

Regionally, a majority of respondents from the Central (76%), Eastern (67%) and Nairobi (66%) regions were of the opinion that Kenyans were not actively involved in the running of government or governance matters. Both rural (57%) and urban (61%) respondents were of a similar opinion, as highlighted in Table 13.

Table 13. **Kenyans' involvement in the running of government or governance matters, by region**

		Yes	No	Not sure	RTA
Region	Rift Valley	49%	45%	5%	0.3%
	Western	40%	54%	7%	–
	North Eastern	34%	59%	5%	2%
	Coast	33%	58%	9%	–
	Nairobi	29%	66%	5%	–
	Nyanza	28%	58%	13%	1%
	Eastern	27%	67%	5%	1%
	Central	21%	76%	3%	–
Residence	Urban	34%	61%	4%	0.2%
	Rural	36%	57%	7%	1%
	Total	**35%**	**58%**	**6%**	**0.4%**

Qn: Do you think the Kenyan people are actively involved in the running of government or governance matters?

Table 14. **Kenyans' involvement in the running of government or governance matters, by gender and age**

		Yes	No	Not sure	RTA
Gender	Male	33%	62%	5%	0.1%
	Female	37%	56%	7%	1%
Age	18−24 years	39%	52%	8%	1%
	25−35 years	32%	63%	5%	0.2%
	36−45 years	35%	58%	7%	0.2%
	46−55 years	37%	59%	4%	–
	56+ years	34%	59%	6%	1%
	Total	**35%**	**58%**	**6%**	**0.4%**

Qn: Do you think the Kenyan people are actively involved in the running of government or governance matters?

In terms of gender, more men (62%) than women (56%) indicated that Kenyans were not actively involved in the running of government or governance matters. A similar trend was recorded for the older, as compared with the younger, generation of respondents, as presented in Table 14.

The survey established that more PLWDs (81%) than non-PLWDs (58%) thought that Kenyans were not actively involved in the running of government or governance matters, as shown in Figure 21.

Figure 21. **Kenyans' involvement in the running of government or governance matters: PLWDs vs non-PLWD**
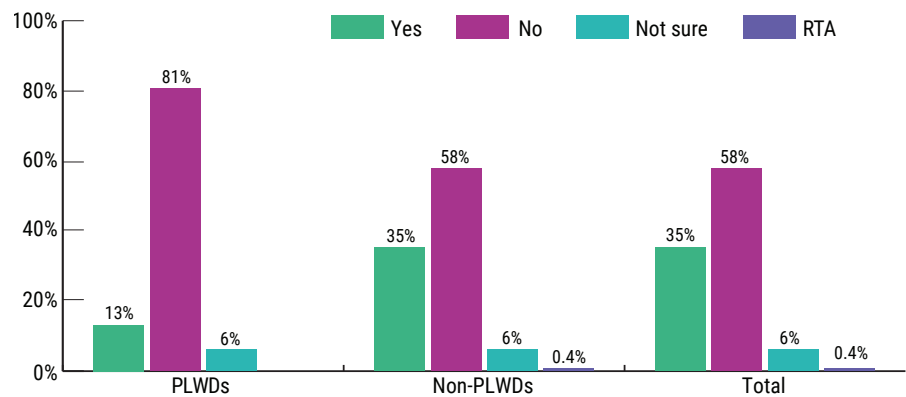
Qn: Do you think the Kenyan people are actively involved in the running of government or governance matters?

Reasons for citizens' active participation in governance matters

Regionally, the main reasons for active participation as reported by respondents included the following: the government informs the public about its decisions and plans (26% of Rift Valley respondents), the people have an opportunity to vote on key issues such as constitutional amendments (30% of North Eastern respondents), and the public participate in regular, free and fair elections (22% of Central respondents), as highlighted in Table 15.

Table 15. **Indicators that the Kenyan Government is for the people and by the people**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Total
The government informs the public about its decisions and plans	19%	27%	26%	10%	26%	24%	19%	19%	**23%**
People have an opportunity to vote on key issues such as constitutional amendments	17%	30%	21%	20%	20%	25%	25%	13%	**21%**

Table 15. **Indicators that the Kenyan Government is for the people and by the people (cont.)**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Total
The public participate in regular free and fair elections	17%	15%	16%	22%	18%	21%	13%	21%	**18%**
There are local/county governments	8%	7%	13%	10%	9%	10%	12%	10%	**10%**
Citizens are allowed to exercise their fundamental rights and freedoms	7%	11%	7%	11%	6%	5%	6%	12%	**7%**
Public institutions/officers respect the law	6%	1%	5%	4%	7%	5%	7%	2%	**6%**
There are free media	7%	4%	3%	4%	5%	4%	4%	10%	**5%**
The public participate in the sharing of resources	6%	–	5%	3%	4%	3%	6%	3%	**4%**
The government supports the vulnerable and the needy	5%	5%	2%	7%	4%	3%	2%	6%	**4%**
There are human rights agencies and groups	7%	–	2%	6%	2%	1%	5%	5%	**3%**
Other	1%	–	1%	2%	0.1%	–	–	–	**0.3%**

Qn: If yes, what if anything shows that the Kenyan Government is for the people and by the people?

Citizens' awareness of their rights

The survey established that almost all (97%) of the respondents were aware of some rights. The top rights that the residents were aware of included the right to citizenship (50%), freedom of expression (47%), freedom of movement (35%) and the right to life (29%), as presented in Figure 22.

Quotes from FGD respondents regarding rights that they were aware of

'Freedom to hold land anywhere—that does not apply here.'

'Right to intermarry and freedom of expression, that is what I personally know.'

'Right to [run for elected office] and campaign anywhere. This is violated and has to be implemented by the citizens.'

Figure 22. **Awareness of rights guaranteed in the 2010 Constitution of Kenya**

Qn: Are you aware of your rights?

Qn: Please name any three rights that are guaranteed by the 2010 Constitution of Kenya.
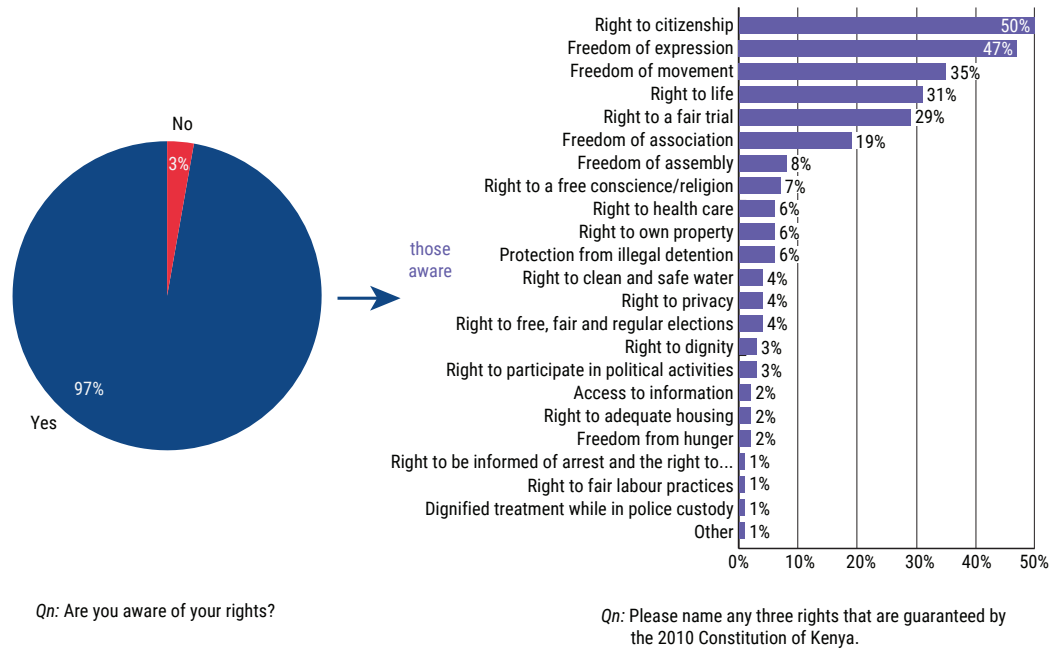
Regionally, the findings mirror the overall picture. The right to citizenship was mentioned most often by the residents of the Nyanza (61%), Rift Valley (57%) and Western (54%) regions; freedom of expression, by the residents of the Nyanza (57%) and Eastern (51%) regions; and freedom of movement, by the residents of the Central (45%), Eastern (43%) and Nairobi (42%) regions. The detailed findings are presented in Table 16.

Table 16. **Awareness of rights guaranteed in the 2010 Constitution of Kenya, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Total
Right to citizenship (either by birth, registration or dual citizenship)	40%	41%	51%	34%	57%	54%	61%	42%	**50%**
Freedom of expression	40%	35%	51%	40%	49%	46%	57%	42%	**47%**
Freedom of movement	31%	36%	43%	45%	28%	28%	31%	42%	**35%**
Right to life	22%	37%	27%	38%	27%	33%	33%	34%	**31%**
Right to a fair trial	27%	26%	31%	15%	38%	34%	29%	16%	**29%**
Freedom of association	21%	20%	16%	12%	19%	22%	29%	17%	**19%**
Freedom of assembly (demonstration, picketing and petition)	12%	13%	6%	7%	7%	7%	8%	8%	**8%**

Table 16. **Awareness of rights guaranteed in the 2010 Constitution of Kenya, by region (cont.)**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Total
Right to a free conscience, religion, thought, belief and opinion	15%	7%	5%	16%	5%	5%	6%	4%	**7%**
Right to health care, including emergency medical treatment	5%	5%	7%	8%	9%	2%	5%	4%	**6%**
Right to own property	4%	6%	3%	21%	4%	5%	4%	3%	**6%**
Protection from illegal detention	7%	8%	4%	5%	8%	6%	5%	4%	**6%**
Right to clean and safe water	5%	4%	9%	6%	4%	3%	1%	3%	**4%**
Right to privacy	2%	13%	3%	5%	3%	8%	3%	4%	**4%**
Right to free, fair and regular elections	6%	4%	4%	4%	4%	2%	2%	6%	**4%**
Right to dignity	4%	2%	2%	3%	2%	4%	4%	5%	**3%**
Right to participate in political activities	2%	3%	2%	3%	3%	3%	1%	6%	**3%**
Right to access to information	2%	6%	1%	3%	3%	2%	3%	1%	**2%**
Right to adequate housing	2%	1%	3%	1%	1%	2%	2%	1%	**2%**
Freedom from hunger	3%	1%	2%	1%	1%	3%	1%	1%	**2%**
Right to be informed of arrest and the right to remain silent and be presented before a court within 24 hours after arrest	2%	2%	1%	4%	2%	–	1%	–	**1%**
Right to fair labour practices	3%	2%	1%	1%	2%	1%	0.3%	1%	**1%**
Right to dignified treatment while in police custody	0.5%	4%	1%	4%	0.4%	1%	0.4%	–	**1%**
Other	–	–	–	1%	1%	3%	–	1%	**1%**

Qn: Please name any three rights that are guaranteed in the 2010 Constitution of Kenya.

Awareness of citizens' responsibilities as outlined in the Constitution

The survey found that 96% of the respondents were aware of the responsibilities of citizens outlined in the 2010 Constitution of Kenya. The responsibilities mentioned most often by respondents were the responsibility

to obey and abide by the law (32%); the responsibility to pay taxes (27%); the responsibility to respect, uphold and defend the Constitution (23%); and the responsibility to respect other people's rights (17%), as presented in Figure 23.

Figure 23. **Awareness of responsibilities outlined in the 2010 Constitution of Kenya**

Qn: Are you aware of the responsibilities of citizens outlined in the 2010 Constitution of Kenya?

Qn: Name any three responsibilities that citizens have as outlined in the Constitution of Kenya.
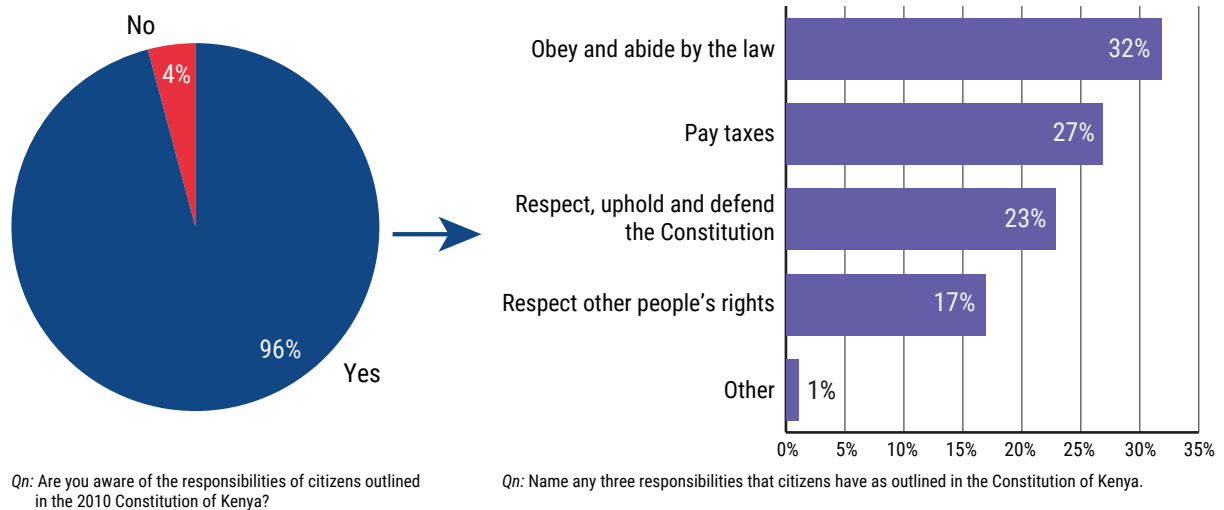
The regional picture mirrors the overall picture, as highlighted in Table 17 below. Obeying and abiding by the law was mentioned most often by respondents from the Nairobi (38%) and North Eastern (35%) regions, whereas paying taxes was mentioned more by residents of the Eastern (31%) and Western (30%) regions, as shown.

Table 17. **Awareness of responsibilities outlined in the 2010 Constitution of Kenya, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Obey and abide by the law	31%	35%	31%	32%	29%	33%	32%	38%	33%	31%	**32%**
Pay taxes	27%	26%	31%	27%	27%	30%	23%	26%	25%	29%	**27%**
Respect, uphold and defend the Constitution	20%	15%	25%	20%	26%	19%	27%	21%	22%	24%	**23%**
Respect other people's rights	21%	24%	12%	20%	16%	16%	18%	14%	19%	16%	**17%**
Other	1%	–	1%	1%	1%	1%	0.1%	1%	1%	1%	**1%**

Qn: Name any three responsibilities that citizens have as outlined in the Constitution of Kenya.

Table 18 indicates the percentages of respondents who were aware of certain responsibilities outlined in the Constitution, broken down by gender and age. The top four responsibilities were mentioned almost equally by both men and women.

Table 18. **Awareness of responsibilities outlined in the 2010 Constitution of Kenya, by gender and age**

	Male	Female	18−24 years	25−35 years	36−45 years	46−55 years	56+ years	Total
Obey and abide by the law	31%	32%	32%	31%	31%	34%	32%	**32%**
Pay taxes	27%	28%	28%	29%	26%	25%	26%	**27%**
Respect, uphold and defend the Constitution	24%	23%	23%	23%	24%	23%	23%	**23%**
Respect other people's rights	17%	17%	16%	16%	19%	17%	18%	**17%**
Other	1%	1%	1%	1%	1%	1%	2%	**1%**

Qn: Name any three responsibilities that citizens have as outlined in the Constitution of Kenya.

Citizens' participation in governance

The survey established that more than two in every five (41%) of the respondents participated in the handling of affairs, management or governance through voting in elections. On the other hand, 24% and 12% did so by obeying the law and paying taxes, respectively, as presented in Figure 24.

Figure 24. **Citizen participation in the handling of affairs, management or governance**
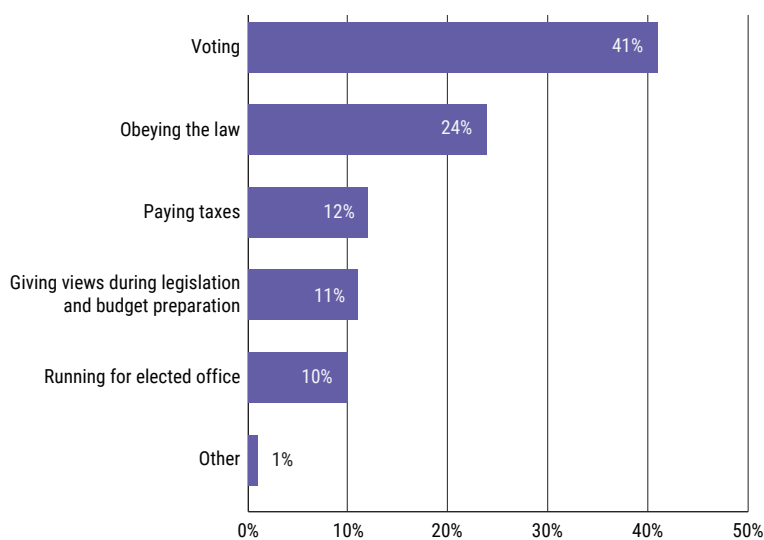
Qn: Name two ways in which you as a Kenyan can participate in the handling of affairs, management or governance of your country.

Quotes from FGD respondents

'[T]hrough voting, and my vote should be count.'

Voting as a means of citizen participation in the handling of affairs, management or governance stood out more for the surveyed residents of the Nairobi region (49%), as was the case with obeying the law (31%), whereas paying taxes was more significant for the surveyed residents of the Eastern region (17%), as shown in Table 19.

Table 19. **Citizen participation in the handling of affairs, management or governance, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Voting	40%	44%	38%	43%	37%	46%	41%	49%	42%	40%	**41%**
Obeying the law	23%	28%	22%	20%	26%	21%	26%	31%	24%	24%	**24%**
Paying taxes	11%	14%	17%	14%	13%	8%	11%	8%	11%	13%	**12%**
Giving views during legislation and budget preparation	10%	5%	14%	12%	13%	11%	9%	10%	12%	11%	**11%**
Running for elected office	16%	9%	9%	10%	10%	14%	13%	2%	10%	11%	**10%**
Other	1%	–	1%	1%	1%	–	1%	–	1%	0.4%	**1%**

Qn: Name two ways in which you as a Kenyan can participate in the handling of affairs, management or governance of your country.

Nearly equal numbers of men and women mentioned voting, obeying the law and paying taxes. In terms of age, there were no major statistical differences between the younger and older respondents, as shown in Table 20.

Table 20. **Citizen participation in the handling of affairs, management or governance, by gender and age**

	Male	Female	18−24 years	25−35 years	36−45 years	46−55 years	56+ years	Total
Voting	41%	41%	42%	41%	38%	38%	44%	**41%**
Obeying the law	25%	24%	25%	26%	25%	24%	20%	**24%**
Paying taxes	12%	12%	11%	13%	12%	12%	13%	**12%**
Giving views during legislation and budget preparation	11%	12%	13%	11%	11%	13%	8%	**11%**
Running for elected office	11%	10%	8%	9%	12%	13%	15%	**10%**
Other (specify)	1%	0.4%	1%	0.4%	1%	0.4%	1%	**1%**

Qn: Name two ways in which you as a Kenyan can participate in the handling of affairs, management or governance of your country.

Awareness of government responsibilities towards citizens

Overall, awareness of government responsibilities towards citizens was extremely high, with almost all (99%) of the surveyed respondents indicating that they were aware of such responsibilities, including creating a conducive environment for investment, employment and self-employment (17%); protecting citizens against internal and external threats (16%); and ensuring access to quality health care (15%), as shown in Figure 25.

Figure 25. **Awareness of government responsibilities towards citizens**
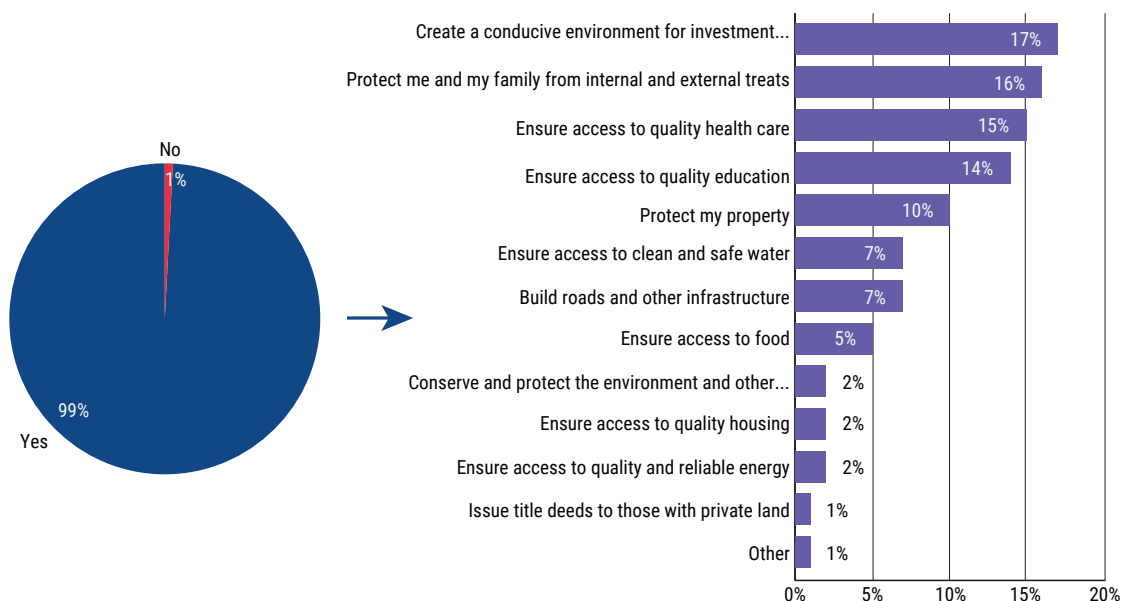
Qn: Are you aware of government responsibilities towards citizens?

Qn: List three key things the government is supposed to do for you as a citizen.

Quotes from FGD respondents

'Creation of employment opportunities for [young people].'

'There should be good health-care facilities.'

'They should construct more infrastructure like [roads] and electricity that's safe to use.'

Regionally, the survey noted that creating a conducive environment for employment and self-employment stood out more for the respondents in the Western region (24%), whereas protecting citizens against internal and external threats was significant for respondents in the Nairobi region (19%), as presented in Table 21.

Table 21. **Awareness of government responsibilities towards citizens, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Create a conducive environment for investment, employment and self-employment	15%	21%	14%	13%	16%	24%	18%	20%	17%	17%	**17%**
Protect me and my family from internal and external threats	16%	14%	13%	15%	17%	16%	18%	19%	16%	16%	**16%**
Ensure access to quality health care	15%	16%	18%	17%	14%	12%	18%	15%	16%	15%	**15%**
Ensure access to quality education	14%	17%	16%	15%	12%	13%	13%	13%	14%	13%	**14%**
Protect my property	9%	12%	8%	10%	10%	13%	12%	9%	9%	11%	**10%**
Ensure access to clean and safe water	7%	4%	16%	6%	7%	2%	5%	6%	7%	7%	**7%**
Build roads and other infrastructure	8%	3%	5%	11%	8%	6%	5%	6%	7%	7%	**7%**
Ensure access to food	7%	6%	7%	3%	6%	3%	5%	4%	6%	5%	**5%**
Conserve and protect the environment and other natural resources	3%	2%	1%	3%	2%	2%	3%	2%	2%	2%	**2%**

Table 21. **Awareness of government responsibilities towards citizens, by region (cont.)**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Ensure access to quality housing	2%	1%	1%	2%	3%	2%	1%	3%	2%	2%	**2%**
Ensure access to quality and reliable energy	1%	2%	1%	2%	3%	2%	1%	1%	2%	2%	**2%**
Issue title deeds to those with private land	3%	2%	1%	1%	1%	2%	1%	1%	1%	1%	**1%**
Other	–	–	0.5%	1%	1%	2%	0.3%	1%	1%	1%	**1%**

Qn: List three key things the government is supposed to do for you as a citizen.

Understanding of democracy

More than half (51%) of the surveyed respondents who saw Kenya's government as a government of the people, by the people and for the people said they understand that democracy is a government of the people, by the people and for the people. However, 59% of respondents who saw Kenya's government as a government that forces its people to do what it wants said that democracy is a government that forces its people to do what it wants, as shown in Table 22.

Table 22. **Understanding of democracy**

		Which one of the following statements best represents your understanding of democracy?			
		A government that forces its people to do what it wants	A government that allows a few people to run the country	A government of the people, by the people and for the people	None of the above
Which one of the following statements best describes what the government of Kenya is according to you?	A government of the people, by the people and for the people	11%	25%	51%	25%
	A government that allows a few people to run the country	29%	54%	31%	20%
	A government that forces its people to do what it wants	59%	21%	16%	26%
	None of the above	1%	0%	1%	28%
	Total	**100%**	**100%**	**100%**	**100%**

Qn: Which ONE of the following statements best represents your understanding of democracy? Which one of the following statements best describes what the government of Kenya is according to you?

Quotes from FGD respondents regarding their understanding of democracy

'A democracy is a government of the people, by the people, for the people.'

'We undertake voting; hence, it's a government of the people, where people vote [for] leaders of their choice. The government has its shortcomings,

but it does not mean they are not democratic.'

'We vote, but the outcomes never reflect our wishes. The system is already rigged. In the end, our democratic right to vote is limited.'

The survey also found that a majority of the respondents view democracy as a government of the people, by the people and for the people (86%), while 8% considered democracy to be a government that allows a few people to run the country, and 5% considered it a government that forces its people to do what it wants, as presented in Figure 26.

Figure 26. **Surveyed respondents, understanding of democracy**
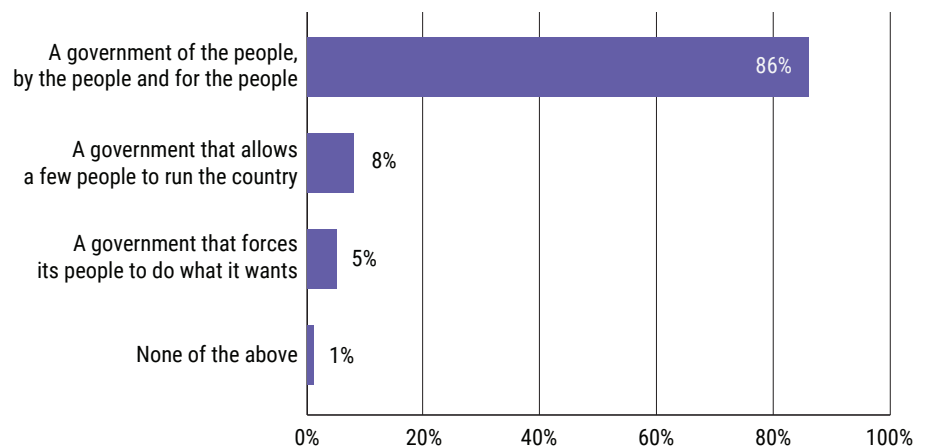
Qn: Which ONE of the following statements best represents your understanding of democracy?

Regionally, significant percentages of the residents of the Central (92%) and Nairobi (91%) regions view the government as of the people, by the people and for the people, as presented in Table 23.

Table 23. **Surveyed respondents, understanding of democracy, by region**

		A government of the people, by the people and for the people	A government that allows a few people to run the country	A government that forces its people to do what it wants	None of the above
Region	Central	92%	5%	2%	1%
	Nairobi	91%	4%	5%	0.2%
	North Eastern	89%	4%	6%	–
	Western	87%	7%	6%	0.5%
	Nyanza	87%	10%	3%	1%
	Eastern	86%	5%	7%	1%
	Rift Valley	84%	10%	4%	1%
	Coast	75%	13%	7%	6%
Residence	Urban	87%	6%	5%	1%
	Rural	86%	9%	5%	1%
	Total	**86%**	**8%**	**5%**	**1%**

Qn: Which ONE of the following statements best represents your understanding of democracy?

Table 24. **Surveyed respondents, understanding of democracy, by gender and age**

		A government of the people, by the people and for the people	A government that allows a few people to run the country	A government that forces its people to do what it wants	None of the above
Gender	Male	86%	8%	5%	1%
	Female	87%	7%	5%	1%
Age	18−24 years	87%	6%	5%	2%
	25−35 years	86%	8%	5%	1%
	36−45 years	88%	8%	3%	1%
	46−55 years	85%	7%	7%	1%
	56+ years	83%	10%	5%	2%
	Total	**86%**	**8%**	**5%**	**1%**

Qn: Which ONE of the following statements best represents your understanding of democracy?

Understanding of the Kenyan Government

In describing the Kenyan Government, 47% of respondents said that it was a government of the people, by the people and for the people, another 33% considered it a government that allows a few people to run the country, and 19% said it was a government that forces its people to do what it wants, as presented in Figure 27.

Figure 27. **Description of the Kenyan Government**
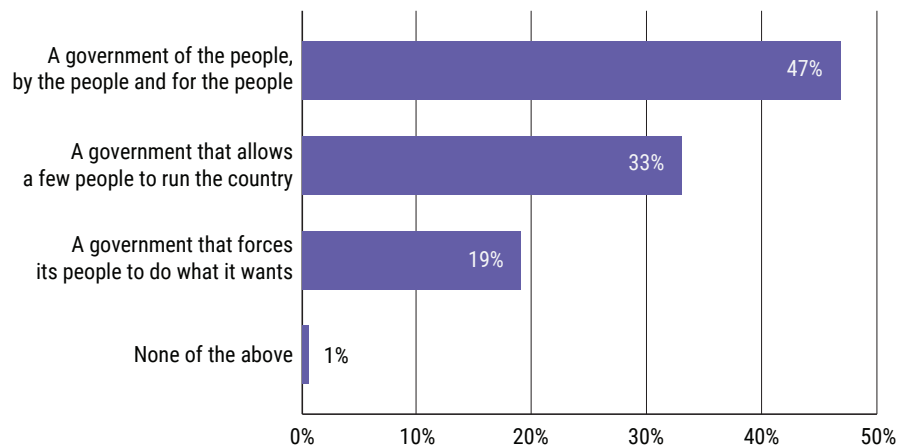
Qn: Which one of the following statements best describes what the government of Kenya is according to you?

Quotes from FGD respondents regarding democracy by the Kenyan Government

'[I] voted [for] the new Constitution with a lot of hopes [that] it [would] change my life for the better with a democratic government. This only exists in writing, but it [is] not [reflected] in my life.'

'There is no democracy in Kenya.'

In terms of region, a majority of the surveyed respondents in Western (75%) and in Nairobi (58%) regions said the government was of the people, by the people and for the people. On the other hand, a significant proportion of the surveyed respondents in North Eastern (59%) and Central (43%) would describe the Kenyan Government as a government that allows a few people to run the country as presented in Table 25.

Nearly equal percentages of men (48%) and women (46%) agree that the government is of the people, by the people and for the people, as shown in Table 26.

Table 25. **Description of the Kenyan Government, by region**

		A government of the people, by the people and for the people	A government that allows a few people to run the country	A government that forces its people to do what it wants	None of the above
Region	Western	75%	12%	12%	1%
	Nairobi	58%	28%	12%	1%
	Nyanza	49%	33%	18%	1%
	Rift Valley	48%	31%	20%	2%
	Coast	42%	37%	16%	4%
	Eastern	42%	38%	20%	1%
	North Eastern	31%	59%	8%	2%
	Central	22%	43%	35%	1%
Residence	Urban	43%	37%	19%	1%
	Rural	49%	30%	19%	1%
	Total	**47%**	**33%**	**19%**	**1%**

Qn: Which one of the following statements best describes what the government of Kenya is according to you?

Table 26. **Description of the Kenyan Government, by gender and age**

		A government that forces its people to do what it wants	A government that allows a few people to run the country	A government of the people, by the people and for the people	None of the above
Gender	Male	19%	32%	48%	1%
	Female	19%	33%	46%	2%
Age	18−24 years	15%	32%	51%	2%
	25−35 years	18%	34%	47%	1%
	36−45 years	17%	33%	48%	1%
	46−55 years	22%	35%	40%	2%
	56+ years	29%	28%	43%	1%
	Total	**19%**	**33%**	**47%**	**1%**

Qn: Which one of the following statements best describes what the government of Kenya is according to you?

Statements on democracy

The survey established that a majority of the respondents understood that it was important to obey the government in power no matter who they voted for (90%) and that they had a right to demonstrate (89%). On the other hand, the respondents disagreed that they had no responsibility in choosing their leaders (69%) and that there was no need to participate in governance processes since they had already elected leaders to do the work on their behalf (75%), as shown in Figure 28.

Figure 28. **Understanding of democracy**

Qn: I will now read out some statements about democracy. Please indicate whether you agree or disagree with them.
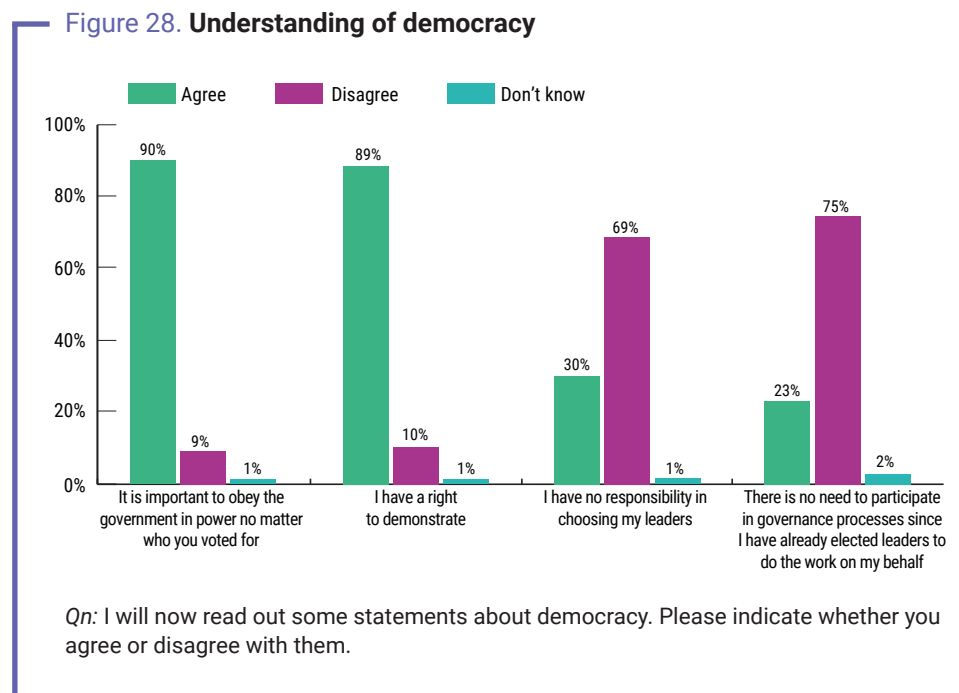
Table 27 presents a regional perspective on surveyed respondents' understanding of democracy.

Table 27. **Understanding of democracy, by region**

		It is important to obey the government in power no matter who you voted for	I have a right to demonstrate	I have no responsibility in choosing my leaders	There is no need to participate in governance processes since I have already elected leaders to do the work on my behalf
Region	Nairobi	95%	93%	11%	8%
	Nyanza	95%	94%	41%	24%
	Central	93%	89%	15%	16%
	Eastern	91%	96%	23%	15%
	Western	89%	71%	24%	13%

Table 27. **Understanding of democracy, by region (cont.)**

		It is important to obey the government in power no matter who you voted for	I have a right to demonstrate	I have no responsibility in choosing my leaders	There is no need to participate in governance processes since I have already elected leaders to do the work on my behalf
Region	Coast	88%	90%	37%	37%
	Rift Valley	87%	91%	45%	38%
	North Eastern	80%	60%	9%	8%
	Total	**90%**	**89%**	**30%**	**23%**

Qn: I will now read out some statements about democracy. Please indicate whether you agree or disagree with them.

Similar percentages of men (89%) and women (88%) understood that they have a right to demonstrate. In terms of age groups, the younger generation, more than the older generation, felt that they had a right to demonstrate, as shown in Table 28.

Table 28. **Understanding of democracy, by gender and age**

		I have a right to demonstrate	I have no responsibility in choosing my leaders	It is important to obey the government in power no matter who you voted for	There is no need to participate in governance processes since I have already elected leaders to do the work on my behalf
Gender	Male	89%	26%	90%	22%
	Female	88%	33%	90%	25%
Age	18−24 years	91%	35%	91%	28%
	25−35 years	91%	28%	91%	23%
	36−45 years	89%	29%	89%	24%
	46−55 years	86%	29%	89%	17%
	56+ years	80%	27%	88%	19%
	Total	**89%**	**30%**	**90%**	**23%**

Qn: I will now read out some statements about democracy. Please indicate whether you agree or disagree with them.

More non-PLWDs (90%) than PLWDs (76%) felt that it was important to obey the government in power no matter who they voted for. Moreover, 89% of non-PLWDs and 66% of PLWDs felt that they had a right to demonstrate, as presented in Figure 29.

Figure 29. **Understanding of democracy: PLWDs vs non-PLWDs**

Qn: I will now read out some statements about democracy. Please indicate whether you agree or disagree with them.
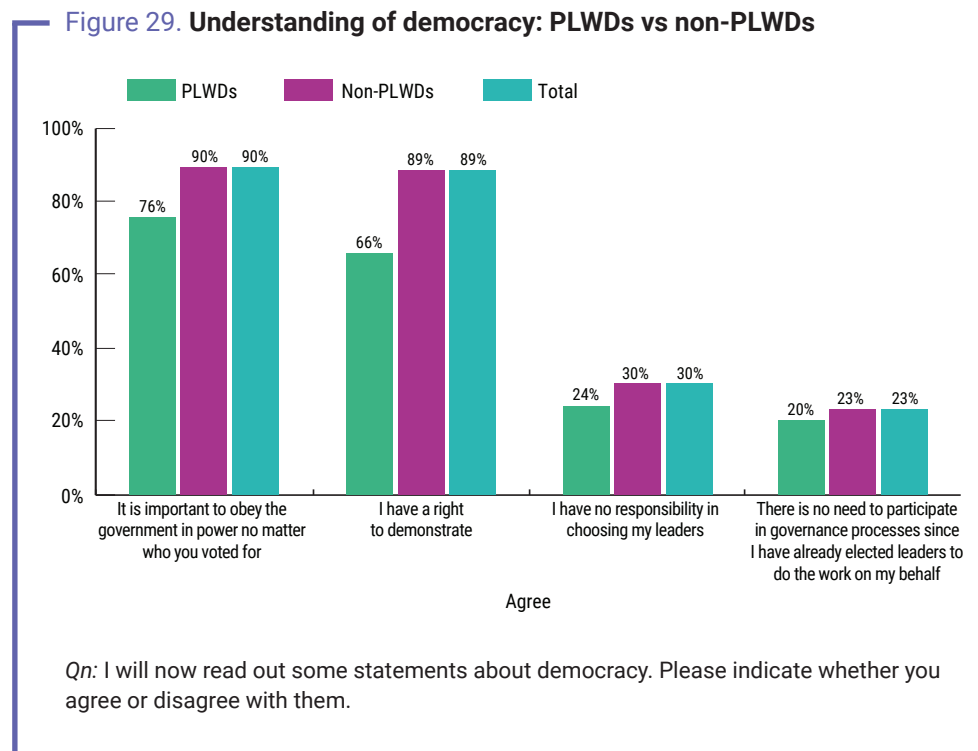
3.3. **ECONOMIC, SOCIAL AND CULTURAL RIGHTS**

Citizens' involvement in the country's economy

The survey found that more than half (53%) of surveyed respondents did not think Kenyans were actively involved in the country's economy. Those who did think that Kenyans were actively involved felt that this was the case because jobs were available (26%), banks and other financial institutions gave loans to individuals and businesses (23%) and consumers spent a lot of money on goods and services (20%), as presented in Figure 30.

A majority of surveyed residents of the Central (73%), North Eastern (62%), Eastern (58%), Western (55%) and Nairobi (54%) regions indicated that the Kenyan people were not actively involved in the country's economy. On the other hand, a majority of those from the Rift Valley (54%) region said that Kenyans were actively involved in the country's economy. Table 29 presents the findings.

Figure 30. **Perceptions of whether the Kenyan people are actively involved in the country's economy**

Qn: Do you think the Kenyan people are actively involved in the country's economy?

Qn: If yes, what shows that the Kenyan people are actively involved in the country's economy?
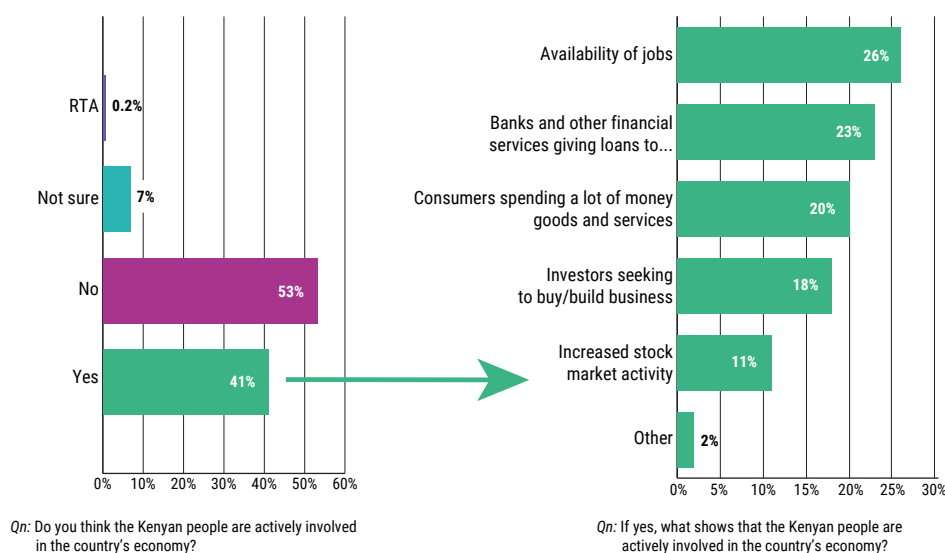
Table 29. **Perceptions of whether the Kenyan people are actively involved in the country's economy, by region**

		Yes	No	Not sure	RTA
Region	Rift Valley	54%	41%	5%	0.2%
	Coast	48%	44%	8%	–
	Nairobi	41%	54%	4%	–
	Western	40%	55%	5%	0.3%
	Eastern	35%	58%	7%	–
	Nyanza	33%	50%	17%	1%
	North Eastern	32%	62%	4%	2%
	Central	25%	73%	2%	–
Residence	Urban	39%	55%	6%	0.2%
	Rural	41%	51%	7%	0.3%
	Total	**41%**	**53%**	**7%**	**0.2%**

Qn: Do you think the Kenyan people are actively involved in the country's economy?

In terms of gender and age, Table 30 presents the findings, which mirror the overall findings.

Table 30. **Perceptions of whether Kenyan people are actively involved in the country's economy, by gender and age**

		Yes	No	Not sure	RTA
Gender	Male	40%	54%	6%	0.2%
	Female	41%	51%	7%	0.3%
Age	18–24 years	45%	47%	8%	0.3%
	25–35 years	36%	57%	7%	0.3%
	36–45 years	44%	50%	6%	–
	46–55 years	42%	52%	5%	1%
	56+ years	36%	59%	5%	–
	Total	**41%**	**53%**	**7%**	**0.2%**

Qn: Do you think the Kenyan people are actively involved in the country's economy?

Evidence of citizens' involvement in the country's economy

Regionally, as presented in Table 31, the availability of jobs stood out more for residents of the North Eastern (62%) and Western (44%) regions, whereas banks and other financial services giving loans to individuals and businesses was mentioned most often by the surveyed residents of the Nyanza (39%) region.

Table 31. **Evidence of citizen's involvement in country's economy, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Availability of jobs	28%	62%	24%	12%	26%	44%	24%	15%	23%	27%	**26%**
Banks and other financial services giving loans to individuals and businesses	22%	13%	25%	21%	25%	20%	39%	10%	21%	25%	**23%**
Consumers spending a lot of money on goods and services	19%	20%	21%	28%	21%	8%	12%	23%	20%	19%	**20%**
Investors seeking to buy/build businesses	18%	2%	19%	24%	15%	18%	15%	31%	20%	16%	**18%**
Increased stock market activity	13%	3%	8%	7%	12%	11%	10%	17%	13%	11%	**11%**
Others	–	–	3%	7%	2%	–	–	4%	3%	2%	**2%**

Qn: If yes, what shows that the Kenyan people are actively involved in the country's economy?

A higher percentage of women (24%) than men (22%) indicated that the Kenyan people were actively involved in the country's economy through banks and other financial services giving loans to individuals and businesses. On the other hand, the availability of jobs stood out more for men (28%) than for women (25%). Table 32 presents the detailed findings.

Table 32. **Evidence of citizens' involvement in the country's economy, by gender and age**

	Male	Female	18–24 years	25–35 years	36–45 years	46–55 years	56+ years	Total
Availability of jobs	28%	25%	23%	25%	26%	27%	34%	**26%**
Banks and other financial services giving loans to individuals and businesses	22%	24%	24%	24%	23%	21%	21%	**23%**
Consumers spending a lot of money on goods and services	21%	18%	18%	22%	21%	20%	15%	**20%**
Investors seeking to buy/build businesses	17%	19%	18%	18%	15%	18%	21%	**18%**
Increased stock market activity	11%	12%	14%	9%	13%	14%	5%	**11%**
Other	2%	2%	2%	2%	2%	–	4%	**2%**

Qn: If yes, what shows that the Kenyan people are actively involved in the country's economy?

Awareness of economic and social rights

Almost all (91%) of the surveyed respondents were aware of the economic rights and social rights that are guaranteed in the 2010 Constitution of Kenya. Of these, 47% were aware of the right to the highest attainable standard of health, 42% were aware of the right to education, and 37% were aware of the right to accessible and adequate housing and to reasonable standards of sanitation, as presented in Figure 31.

The right to the highest attainable standard of health stood out more for surveyed residents of the North Eastern (55%) and Western (55%) regions, the right to education was more evident for residents of the North Eastern region (67%), and the right to accessible and adequate housing and to reasonable standards of sanitation was mentioned more frequently by residents of the Central region (46%), as shown in Table 33.

Figure 31. **Economic and social rights that are guaranteed in the 2010 Constitution of Kenya**
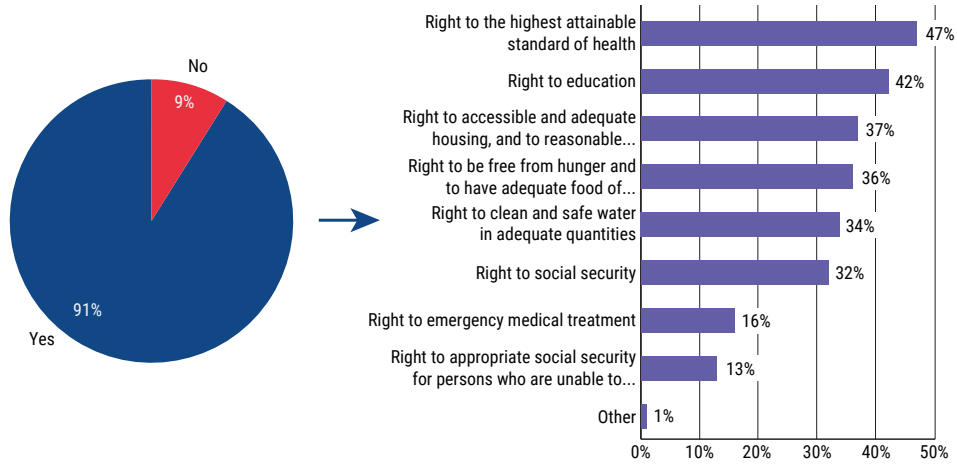
Qn: Are you aware that your economic and social rights are guaranteed in the 2010 Constitution of Kenya?

Qn: Please name any three economic and social rights that are guaranteed in the 2010 Constitution of Kenya.

Table 33. **Economic and social rights that are guaranteed in the 2010 Constitution of Kenya, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Right to the highest attainable standard of health	38%	55%	62%	36%	46%	55%	47%	36%	43%	49%	**47%**
Right to education	45%	67%	42%	51%	39%	41%	42%	32%	47%	39%	**42%**
Right to accessible and adequate housing and to reasonable standards of sanitation	29%	22%	40%	46%	30%	41%	45%	35%	35%	38%	**37%**
Right to be free of hunger and to have adequate food of acceptable quality	31%	18%	43%	36%	35%	37%	43%	32%	33%	39%	**36%**
Right to clean and safe water in adequate quantities	34%	29%	41%	27%	34%	21%	45%	37%	35%	34%	**34%**

Table 33. **Economic and social rights that are guaranteed in the 2010 Constitution of Kenya, by region (cont.)**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Right to social security	27%	64%	21%	27%	39%	30%	32%	33%	33%	32%	**32%**
Right to emergency medical treatment	20%	13%	14%	9%	17%	20%	19%	15%	13%	18%	**16%**
Right to appropriate social security for persons who are unable to support themselves and their dependants	13%	11%	10%	13%	14%	11%	15%	17%	16%	11%	**13%**
Other	0.3%	–	1%	1%	1%	1%	0.3%	0.2%	1%	1%	**1%**

Qn: Please name any three economic and social rights that are guaranteed in the 2010 Constitution of Kenya.

Across the board, similar percentages of male and female respondents were aware of the economic and social rights that are guaranteed in the 2010 Constitution of Kenya, as presented in Table 34.

Table 34. **Economic and social rights that are guaranteed in the 2010 Constitution of Kenya, by gender and age**

	Male	Female	18–24 years	25–35 years	36–45 years	46–55 years	56+ years	Total
Right to the highest attainable standard of health	46%	47%	49%	48%	44%	49%	43%	**47%**
Right to education	43%	41%	42%	44%	43%	40%	39%	**42%**
Right to accessible and adequate housing and to reasonable standards of sanitation	36%	38%	34%	35%	39%	43%	41%	**37%**
Right to be free of hunger and to have adequate food of acceptable quality	36%	37%	33%	36%	38%	38%	41%	**36%**
Right to clean and safe water in adequate quantities	32%	36%	37%	36%	34%	27%	30%	**34%**
Right to social security	34%	31%	35%	28%	33%	36%	34%	**32%**

Table 34. **Economic and social rights that are guaranteed in the 2010 Constitution of Kenya, by gender and age (cont.)**

	Male	Female	18–24 years	25–35 years	36–45 years	46–55 years	56+ years	Total
Right to emergency medical treatment	17%	15%	12%	17%	20%	19%	15%	**16%**
Right to appropriate social security for persons who are unable to support themselves and their dependents	14%	13%	14%	12%	16%	14%	9%	**13%**
Other	1%	1%	1%	1%	0.5%	0.4%	–	**1%**

Qn: Please name any three economic and social rights that are guaranteed in the 2010 Constitution of Kenya.

Identity as Kenyans

The survey established that the factors that contribute the most to Kenyans' sense of national identity are respect for different ethnic communities (19%), respect for members of all religions (12%) and respect for all social classes (12%), as shown in Figure 32.

Figure 32. **Factors that contribute to Kenyans' sense of national identity**
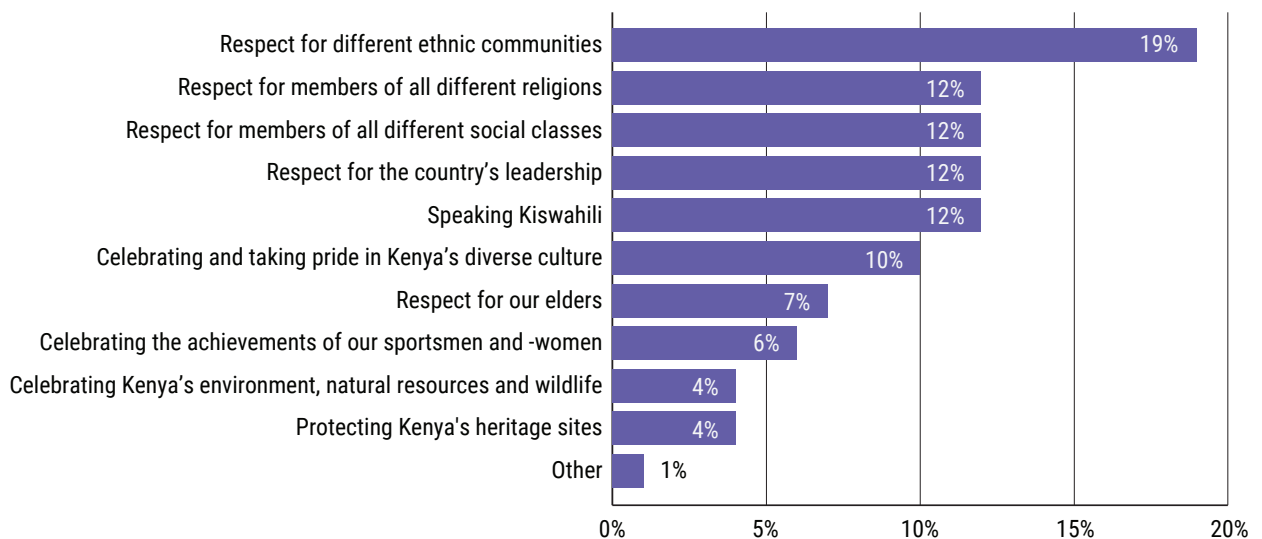
Qn: In your opinion, which one of the following contributes the most to our identity as Kenyans?

Regionally, respect for different ethnic communities stood out more for the Nairobi (32%) and Western (29%) regions, respect for members of all religions was more predominant for residents of the Coast (18%) and North Eastern (17%) regions, and respect for members of all social classes was more important for surveyed residents of the Nyanza (18%) and Coast (17%) regions.

Table 35. **Factors that contribute to Kenyans' sense of national identity, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Respect for different ethnic communities	15%	17%	22%	12%	14%	29%	17%	32%	19%	19%	**19%**
Respect for members of all religions	18%	17%	17%	7%	12%	10%	11%	11%	12%	12%	**12%**
Respect for members of all social classes	17%	6%	12%	10%	13%	8%	18%	10%	12%	12%	**12%**
Respect for the country's leadership	13%	6%	3%	14%	15%	17%	12%	9%	12%	12%	**12%**
Speaking Kiswahili	7%	34%	21%	14%	10%	10%	5%	5%	11%	12%	**12%**
Celebrating and taking pride in Kenya's diverse culture	7%	2%	8%	21%	11%	8%	9%	8%	13%	9%	**10%**
Respect for our elders	9%	11%	2%	6%	8%	10%	10%	8%	7%	8%	**7%**
Celebrating the achievements of our sportsmen and -women	4%	3%	7%	5%	6%	1%	10%	9%	5%	6%	**6%**
Conserving Kenya's environment, natural resources and wildlife	3%	1%	4%	6%	4%	2%	6%	6%	4%	4%	**4%**
Protecting Kenya's heritage sites	6%	2%	4%	3%	5%	5%	2%	2%	4%	4%	**4%**
Other	0.4%	–	–	1%	2%	1%	–	1%	0.3%	1%	**1%**

Qn: In your opinion, which one of the following contributes the most to our identity as Kenyans?

Table 36 presents the factors that contribute to Kenyans' sense of national identity, with a breakdown by gender and age. More women than men cited respect for different ethnic groups and for members of all religions, whereas more men than women indicated respect for members of all social classes and the country's leadership.

Table 36. **Factors that contribute to Kenyans' sense of national identity, by gender and age**

	Male	Female	18–24 years	25–35 years	36–45 years	46–55 years	56+ years	Total
Respect for different ethnic communities	18%	20%	17%	20%	17%	22%	19%	**19%**
Respect for members of all religions	12%	13%	13%	13%	12%	11%	11%	**12%**
Respect for members of all social classes	13%	12%	13%	12%	12%	13%	12%	**12%**
Respect for the country's leadership	13%	11%	10%	12%	15%	13%	10%	**12%**
Speaking Kiswahili	12%	12%	13%	13%	13%	12%	5%	**12%**
Celebrating and taking pride in Kenya's diverse culture	10%	10%	11%	10%	10%	9%	10%	**10%**
Respect for our elders	6%	9%	10%	6%	5%	5%	11%	**7%**
Celebrating the achievements of our sportsmen and -women	6%	6%	5%	6%	6%	7%	7%	**6%**
Conserving Kenya's environment, natural resources and wildlife	5%	4%	4%	4%	4%	3%	8%	**4%**
Protecting Kenya's heritage sites	4%	4%	4%	4%	5%	2%	5%	**4%**
Other	1%	1%	0%	1%	1%	3%	1%	**1%**

Qn: In your opinion, which one of the following contributes the most to our identity as Kenyans?

Awareness of economic and social rights

The survey findings indicated that the level of awareness of economic and social rights was relatively high, at 88%. Further, for those who were aware of such rights, the right to use the language and participate in the cultural life of one's choice (65%), the right to enjoy one's culture (56%) and the right to form, join and maintain cultural and linguistic associations (45%) stood out, as shown in Figure 33.

Table 38 presents the findings by gender and age, which mirror the overall findings. It is worth noting that there were no significant differences between men and women with respect to their awareness of rights.

Figure 33. **Awareness of the economic and social rights guaranteed in the 2010 Constitution of Kenya**
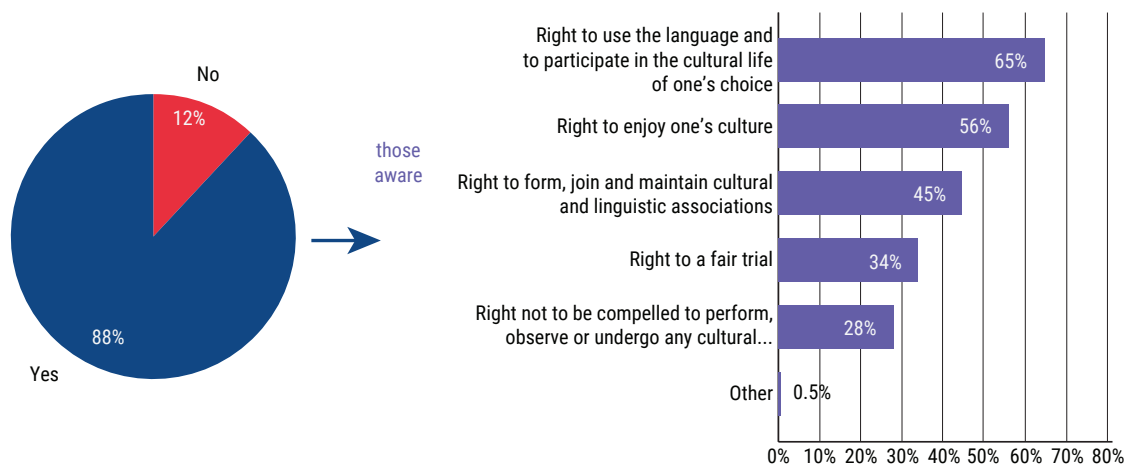
Qn: Please name any three economic and social rights
that are guaranteed in the 2010 Constitution of Kenya.

Table 37. **Awareness of economic and social rights guaranteed in the 2010 Constitution of Kenya, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Right to use the language and participate in the cultural life of one's choice	45%	66%	68%	60%	58%	76%	74%	76%	67%	64%	**65%**
Right to enjoy one's culture and use one's language	44%	68%	69%	51%	48%	60%	67%	50%	55%	57%	**56%**
Right to form, join and maintain cultural and linguistic associations	42%	45%	58%	34%	39%	44%	55%	44%	46%	45%	**45%**
Right to a fair trial	40%	36%	26%	30%	37%	38%	41%	20%	30%	36%	**34%**
Right not to be compelled to perform, observe or undergo any cultural practice or rite	33%	32%	23%	38%	32%	24%	26%	15%	31%	26%	**28%**
Other	–	–	0.2%	1%	1%	–	0.5%	–	0.3%	1%	**0.5%**

Qn: Please name any three economic and social rights that are guaranteed in the 2010 Constitution of Kenya.

Table 38. **Awareness of the economic and social rights guaranteed in the 2010 Constitution of Kenya, by gender and age**

	Male	Female	18–24 years	25–35 years	36–45 years	46–55 years	56+ years	Total
Right to use the language and participate in the cultural life of one's choice	65%	65%	65%	65%	58%	64%	76%	**65%**
Right to enjoy one's culture and use one's language	57%	56%	52%	59%	60%	57%	53%	**56%**
Right to form, join and maintain cultural and linguistic associations	42%	48%	45%	48%	43%	47%	40%	**45%**
Right to a fair trial	35%	33%	30%	35%	36%	40%	30%	**34%**
Right not to be compelled to perform, observe or undergo any cultural practice or rite	30%	26%	29%	27%	33%	25%	23%	**28%**
Other	0.4%	1%	0.5%	0.1%	1%	0.4%	1%	**0.5%**

Qn: Please name any three economic and social rights that are guaranteed in the 2010 Constitution of Kenya.

3.4. RULE OF LAW AND ACCESS TO JUSTICE

Greatest threat to the rule of law and enjoyment of human rights and freedoms

The survey established that the greatest threats to the rule of law and enjoyment of human rights and freedom include corruption and impunity (70%), the high cost of accessing justice (8%) and ignorance of one's rights (7%), as shown in Figure 34.

Quotes from FGD respondents regarding the greatest threats to the rule of law and enjoyment of human rights and freedoms

'Corruption. The poor can't access justice against rich offenders.'

'People, corruption and…wealth status. Some people are arrested, and they make a single phone call that [gets] them released instantly. Yet, the poor will get detained for petty offences with no one to advocate for them.'

'You have to bribe the police to access justice. It's not accessible if you

do not have money. For instance, if your belongings are stolen outside a supermarket where there are CCTVs, you need to bribe the police for them to follow up your case.'

'It's both accessible and inaccessible because some cases require connections for one to access justice.'

Figure 34. **Greatest threat to the rule of law and enjoyment of human rights and freedoms**
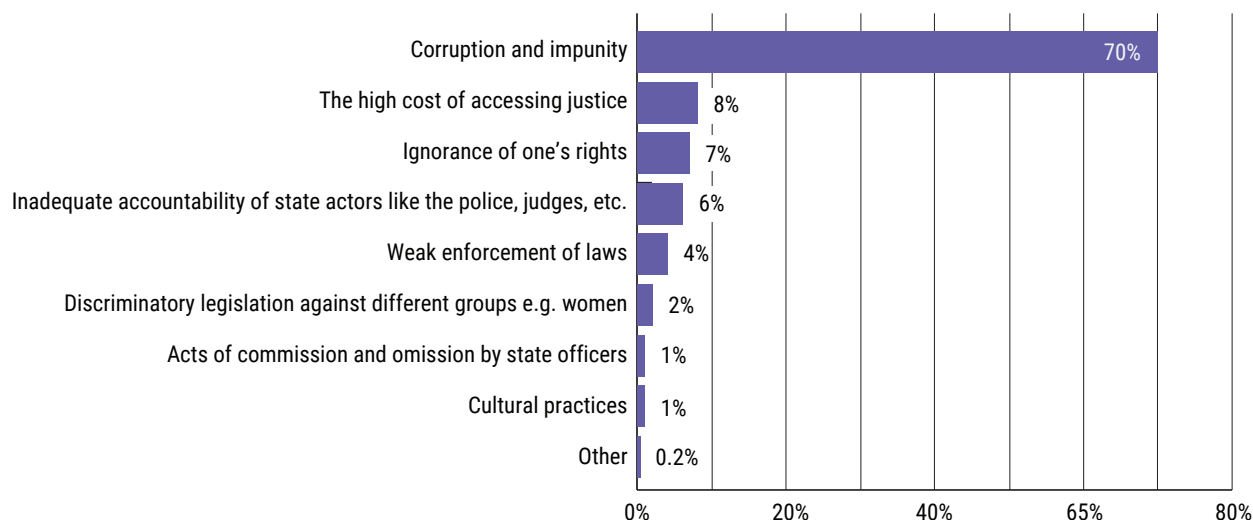
Qn: In your view, which ONE of the following is the greatest threat to the rule of law and enjoyment of human rights and freedoms in Kenya?

Table 39 and Table 40 presents regional findings, which mirror the overall findings.

Table 39. **Greatest threat to the rule of law and enjoyment of human rights and freedoms, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Corruption and impunity	65%	83%	69%	66%	66%	71%	81%	76%	74%	68%	**70%**
The high cost of accessing justice	13%	5%	7%	4%	10%	16%	4%	6%	7%	9%	**8%**
Ignorance of one's rights	12%	7%	7%	13%	8%	5%	3%	3%	8%	7%	**7%**
Inadequate accountability of state actors like the police, judges, etc.	4%	1%	11%	6%	6%	4%	3%	6%	5%	6%	**6%**
Weak enforcement of laws	4%	–	3%	8%	3%	1%	2%	6%	4%	3%	**4%**
Discriminatory legislation against different groups (e.g. women)	1%	2%	2%	1%	2%	–	3%	1%	1%	2%	**2%**

Table 39. Greatest threat to the rule of law and enjoyment of human rights and freedoms, by region (cont.)

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Acts of commission and omission by state officers	–	–	1%	2%	2%	1%	2%	1%	0.5%	2%	**1%**
Cultural practices	1%	–	0%	1%	3%	2%	–	1%	1%	2%	**1%**
Other	–	2%	–	–	0.3%	0.3%	–	1%	0.3%	0.2%	**0.2%**

Qn: In your view, which ONE of the following is the greatest threat to the rule of law and enjoyment of human rights and freedoms in Kenya?

Table 40. Greatest threat to the rule of law and enjoyment of human rights and freedoms, by gender and age

	Male	Female	18−24 years	25−35 years	36−45 years	46−55 years	56+ years	Total
Corruption and impunity	72%	68%	72%	71%	71%	71%	64%	**70%**
The high cost of accessing justice	8%	8%	7%	9%	9%	9%	7%	**8%**
Ignorance of one's rights	7%	8%	7%	7%	6%	7%	11%	**7%**
Inadequate accountability of state actors like the police, judges, etc.	5%	7%	5%	6%	6%	3%	7%	**6%**
Weak enforcement of laws	3%	4%	4%	4%	4%	4%	3%	**4%**
Discriminatory legislation against different groups (e.g. women)	2%	2%	1%	1%	2%	3%	3%	**2%**
Acts of commission and omission by state officers	2%	1%	1%	1%	1%	1%	3%	**1%**
Cultural practices	1%	2%	1%	1%	2%	1%	2%	**1%**
Other	0.3%	0.2%	0.3%	0.1%	1%	0.4%	–	**0.2%**

Qn: In your view, which ONE of the following is the greatest threat to the rule of law and enjoyment of human rights and freedoms in Kenya?

Organizations enforcing the rule of law

The judiciary (37%), the inspector general of police (22%), the Office of the President (20%) and the cabinet secretary for the Ministry of Interior (7%) were the key institutions and individuals most associated with enforcing the rule of law and protecting human rights and freedoms in Kenya. At the same

time, the inspector general of police (39%), the judiciary (18%), the Office of the President (14%), political parties (12%) and parliament (9%) were the key institutions most associated with violating the rule of law and failing to protect human rights and freedoms in Kenya (see Figure 35).

Figure 35. **Organizations, institutions and individuals associated with enforcing the rule of law and protecting human rights and freedoms in Kenya**

Qn: Which organization, institution or individual do you associate the MOST with enforcing the rule of law and protecting human rights and freedoms in Kenya?

Qn: Which organization, institution or individual do you associate the MOST with violating the rule of law and failing to protect human rights and freedoms in Kenya?
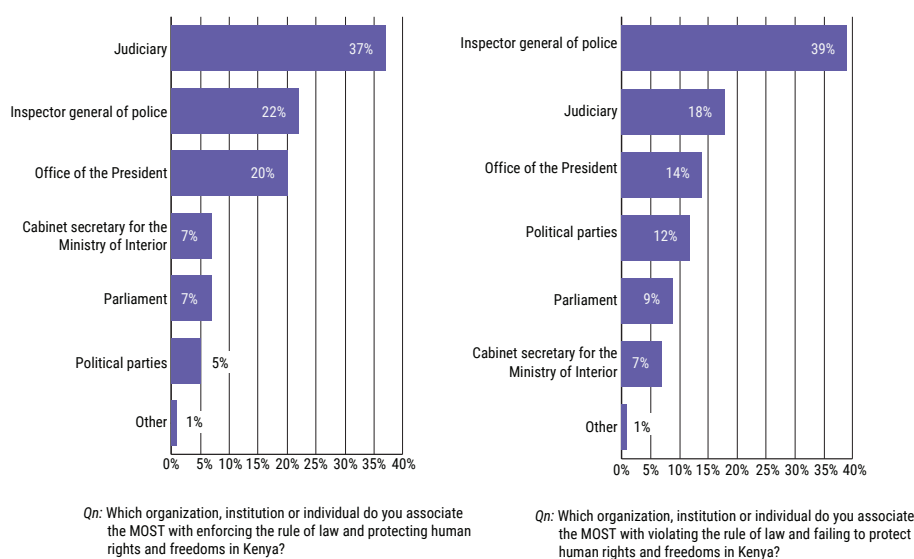
Table 41 presents regional findings, which mirror the overall findings.

Table 41. **Organizations, institutions and individuals associated with enforcing the rule of law and protecting human rights, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Judiciary	37%	44%	41%	40%	42%	31%	27%	38%	41%	36%	**37%**
Inspector general of police	20%	20%	19%	23%	14%	33%	29%	30%	22%	23%	**22%**
Office of the President	19%	14%	9%	13%	26%	23%	20%	22%	17%	21%	**20%**
Cabinet secretary for the Ministry of Interior	6%	2%	3%	16%	7%	2%	13%	2%	7%	8%	**7%**
Parliament	6%	12%	19%	5%	4%	4%	4%	5%	8%	6%	**7%**
Political parties	10%	6%	8%	1%	6%	4%	7%	2%	5%	6%	**5%**
Others	2%	2%	1%	1%	0.5%	2%	0.3%	0.4%	1%	1%	**1%**

Qn: Which organization, institution or individual do you associate the MOST with enforcing the rule of law and protecting human rights and freedoms in Kenya?

In terms of gender and age, the feedback was similar across each of the entities. Table 42 presents the overall findings.

Table 42. **Organizations, institutions and individuals associated with enforcing the rule of law and protecting human rights and freedoms in Kenya, by gender and age**

	Male	Female	18−24 years	25−35 years	36−45 years	46−55 years	56+ years	Total
Judiciary	37%	38%	41%	37%	39%	41%	27%	**37%**
Inspector general of police	22%	23%	21%	24%	21%	18%	28%	**22%**
Office of the President	21%	19%	16%	17%	22%	23%	24%	**20%**
Cabinet secretary for the Ministry of Interior	8%	7%	8%	9%	6%	4%	6%	**7%**
Parliament	7%	7%	7%	8%	8%	4%	4%	**7%**
Political parties	6%	5%	6%	5%	4%	6%	9%	**5%**
Other	1%	1%	1%	1%	0.4%	3%	2%	**1%**

Qn: Which organization, institution or individual do you associate the MOST with enforcing the rule of law and protecting human rights and freedoms in Kenya?

Figure 36. **Organizations, institutions and individuals associated with enforcing the rule of law and protecting human rights and freedoms in Kenya: PLWDs vs non-PLWDs**
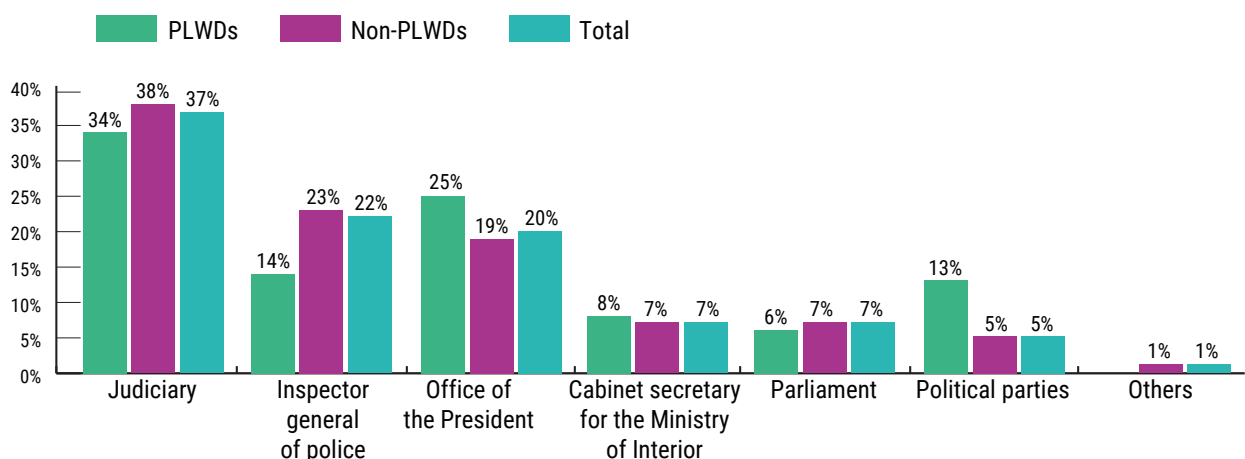
Qn: Which organization, institution or individual do you associate the MOST with enforcing the rule of law and protecting human rights and freedoms in Kenya?

Organizations violating the rule of law

The three organizations most associated with violating the rule of law and failing to protect human rights and freedoms in Kenya as well as being the greatest threat to the rule of law and enjoyment of human rights and freedoms in Kenya include the inspector general of police, the judiciary and the Office of the President, as presented in Table 43.

Table 43. **Organizations violating the rule of law**

		In your view, which one of the following is the greatest threat to the rule of law and enjoyment of human rights and freedoms in Kenya?							
		Corruption and impunity	The high cost of accessing justice	Ignorance of one's rights	Inadequate accountability of state actors like the police, judges, etc.	Cultural practices	Acts of commission and omission by state officers	Weak enforcement of laws	Discriminatory legislation against different groups (e.g. women)
Which organization, institution or individual do you associate the MOST with violating the rule of law and failing to protect human rights and freedoms in Kenya?	Inspector general of police	41%	34%	26%	38%	40%	36%	52%	28%
	Judiciary	19%	15%	18%	14%	3%	6%	13%	40%
	Office of the President	13%	16%	16%	22%	21%	17%	8%	6%
	Political parties	11%	17%	17%	7%	19%	19%	7%	19%
	Parliament	9%	6%	16%	10%	12%	3%	9%	4%
	Cabinet secretary for the Ministry of Interior	6%	11%	5%	9%	5%	19%	9%	2%
	Other	2%	–	–	–	–	–	2%	–
	Total	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**	**100%**

Qn: Which organization, institution or individual do you associate the MOST with enforcing the rule of law and protecting human rights and freedoms in Kenya? Which organization, institution or individual do you associate the MOST with violating the rule of law and failing to protect human rights and freedoms in Kenya?

Quotes from FGD respondents regarding organizations they felt were responsible for enforcing or violating the law

'[I]n Kenya the police can arrest you even without any mistake, for example in 2019 I was arrested for no reason at all, since I was not charged, and I was released after giving a small bribe.'

'I guess [the] police. We have been seeing people harassed by [the] police.'

'I would say police brutality.'

'I would say you know even before the police harass somebody it is a directive from above, the politicians and what we call the deep state. Like [Hillary] Mutyambai or Fred Okengo Matiang'i, when they give the go ahead you have to be arrested, you will [just be] arrested without the police listening to you.'

Table 44 summarizes the key regional findings.

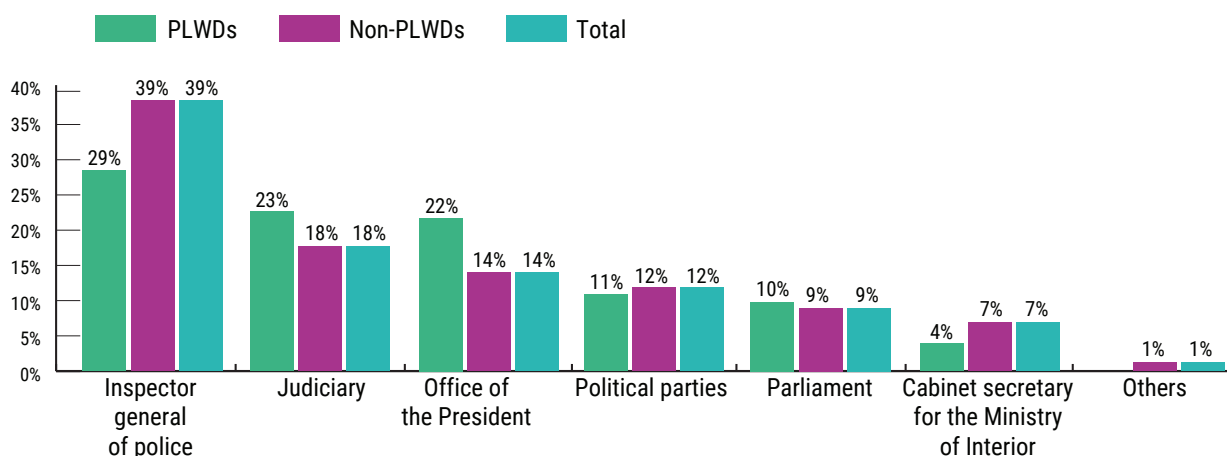Table 44. **Organizations violating the rule of law, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Inspector general of police	28%	50%	43%	45%	36%	32%	29%	59%	49%	33%	**39%**
Judiciary	17%	14%	23%	15%	18%	19%	20%	13%	15%	20%	**18%**
Office of the President	11%	12%	9%	9%	18%	21%	17%	5%	11%	15%	**14%**
Political parties	25%	9%	8%	5%	14%	18%	12%	7%	8%	15%	**12%**
Parliament	15%	12%	7%	15%	9%	5%	6%	6%	9%	9%	**9%**
Cabinet secretary for the Ministry of Interior	4%	–	5%	8%	5%	5%	15%	9%	6%	8%	**7%**
Other	–	2%	5%	2%	0.3%	–	1%	1%	2%	1%	**1%**

Qn: Which organization, institution or individual do you associate the MOST with violating the rule of law and failing to protect human rights and freedoms in Kenya?

Table 45. **Organizations violating the rule of law, by gender and age**

	Male	Female	18–24 years	25–35 years	36–45 years	46–55 years	56+ years	Total
Inspector general of police	36%	41%	44%	41%	38%	31%	34%	**39%**
Judiciary	20%	16%	14%	19%	22%	25%	11%	**18%**
Office of the President	13%	14%	9%	12%	14%	17%	24%	**14%**
Political parties	13%	12%	13%	12%	10%	12%	13%	**12%**
Parliament	9%	9%	9%	9%	9%	8%	8%	**9%**
Cabinet secretary for the Ministry of Interior	8%	6%	9%	6%	6%	4%	8%	**7%**
Other	1%	1%	1%	1%	1%	2%	2%	**1%**

Qn: Which organization, institution or individual do you associate the MOST with violating the rule of law and failing to protect human rights and freedoms in Kenya?

Figure 37. **Organizations violating the rule of law: PLWDs vs Non-PLWDs**

Qn: Which organization, institution or individual do you associate the MOST with violating the rule of law and failing to protect human rights and freedoms in Kenya?

Organizational reforms

The survey established that the three organizations or institutions that most required reform included the inspector general of police (27%), the judiciary (22%) and the Office of the President (16%). Other key organizations and institutions requiring reform include parliament (14%) and political parties (11%), as presented in Figure 38.

Figure 38. **Organizations and institutions requiring reform or strengthening to enhance the rule of law and protection of human rights and freedoms**
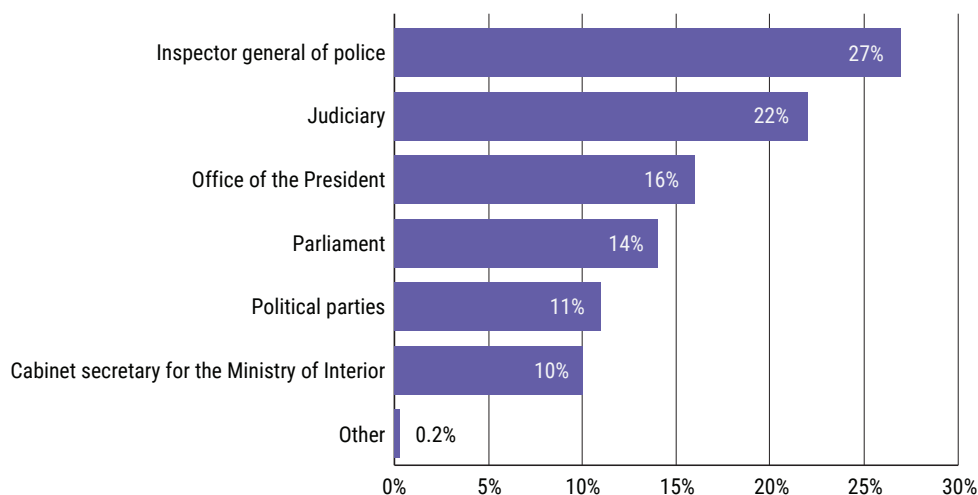
Qn: In your opinion, which of the following institutions should be reformed or strengthened to enhance the rule of law and protection of human rights and freedoms?

Table 46 summarizes the key regional highlights. The inspector general of police was mentioned most frequently by respondents from the Nairobi region (42%), and the judiciary was mentioned most frequently by respondents from the Eastern (30%), the Nairobi (28%) and Nyanza (27%) regions.

Table 46. **Organizations requiring reform or strengthening to enhance the rule of law and protection of human rights and freedoms, by region**

|	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Inspector general of police	25%	18%	23%	27%	25%	28%	25%	42%	30%	25%	**27%**
Judiciary	25%	10%	30%	25%	17%	18%	27%	28%	21%	23%	**22%**
Office of the President	6%	17%	10%	8%	22%	22%	20%	8%	13%	17%	**16%**
Parliament	17%	28%	20%	17%	11%	12%	6%	15%	17%	13%	**14%**
Political parties	16%	21%	7%	8%	16%	11%	6%	2%	11%	11%	**11%**
Cabinet secretary for the Ministry of Interior	10%	4%	9%	13%	8%	8%	17%	4%	8%	11%	**10%**
Other	0.3%	1%	–	1%	0.1%	–	–	0.3%	1%	0.1%	**0.2%**

Qn: In your opinion, which of the following institutions should be reformed or strengthened to enhance the rule of law and protection of human rights and freedoms?

Figure 39. **Organizations requiring reform or strengthening to enhance the rule of law and protection of human rights and freedoms: PLWDs vs non-PLWDs**
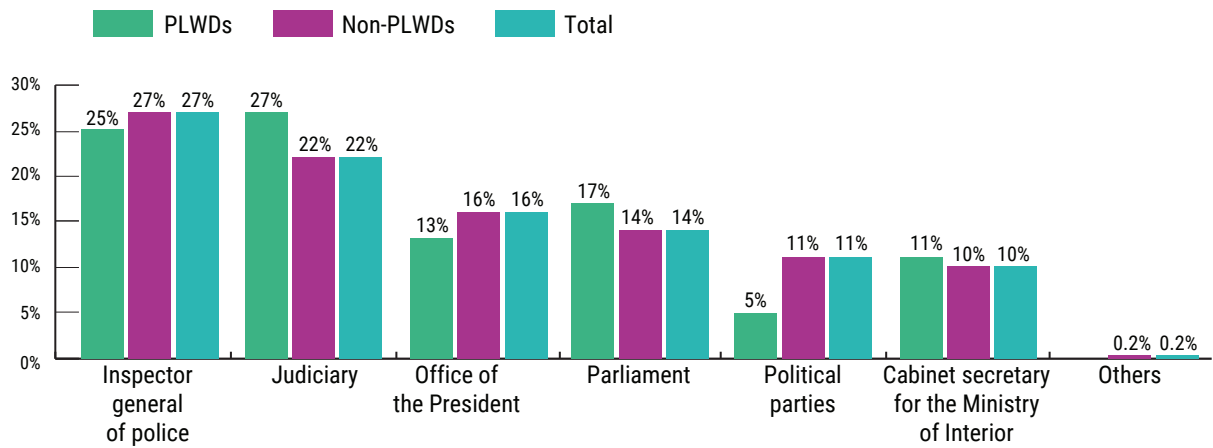
Qn: In your opinion, which of the following institutions should be reformed or strengthened to enhance the rule of law and protection of human rights and freedoms?

Dealing with human rights violators

Nearly all respondents (99%) were aware of ways to deal with human rights violators. Among the most effective ways of dealing with perpetrators, respondents mentioned jail or custodial sentences (44%), disqualification from public positions (14%) and education on human rights (14%), as presented in Figure 40.

Figure 40. **Effective ways of dealing with human rights violators in Kenya**
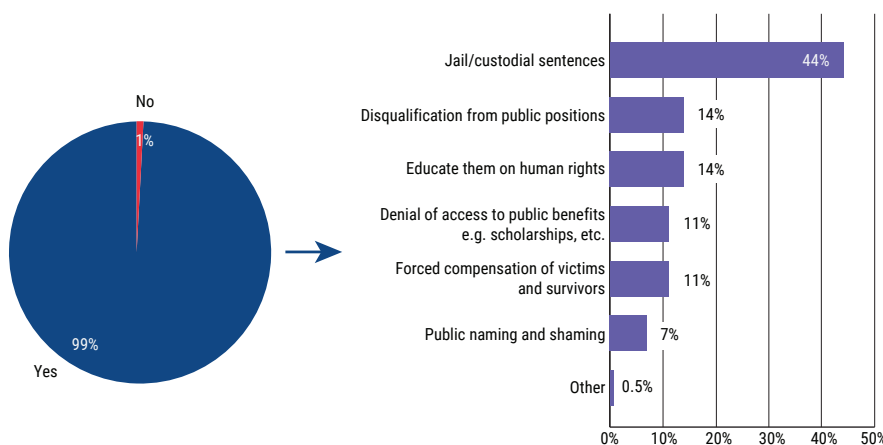
Qn: In your view, what would be the most effective way of dealing with human rights violators in the country?

> **Quotes from FGD respondents regarding the most effective ways of dealing with human rights violations in the country**
>
> 'Let me take, for example, if a man is found to have raped a girl, he has to be arrested; he has to go through all the process of judgment until the girl [gets] justice.'
>
> 'I think they need to be arrested and [for] the victims to get justice.'
>
> 'What I can suggest is that people need enough sensitization because many people do not know their rights. People know their rights—yes—but they have to know that if they violate some right like, for example, if you steal and you are [caught], you will be arrested; they know that;'
>
> 'They should be banned from accessing public positions.'

Table 47 summarizes the key regional highlights and predominantly mirrors the overall picture.

Table 47. Effective ways of dealing with human rights violators in Kenya, by region

|	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Jail/custodial sentences	46%	45%	49%	47%	38%	47%	37%	62%	45%	43%	**44%**
Disqualification from public positions	18%	18%	14%	15%	12%	4%	21%	10%	13%	14%	**14%**
Educate them on human rights	9%	8%	11%	11%	15%	27%	13%	13%	13%	14%	**14%**
Denial of access to public benefits (e.g. scholarships, etc.)	9%	16%	9%	4%	16%	5%	13%	4%	11%	10%	**11%**
Forced to pay compensation to victims and survivors	11%	6%	13%	9%	11%	13%	11%	5%	9%	12%	**11%**
Public naming and shaming	9%	6%	5%	14%	8%	3%	5%	5%	9%	6%	**7%**
Other	–	–	–	1%	1%	1%	–	2%	1%	0.5%	**0.5%**

Qn: In your view, what would be the most effective way of dealing with human rights violators in the country?

Access to justice

A significant proportion (38%) of the respondents rated the accessibility of the justice system to the people as average. Another 35% rated the justice system as inaccessible, and 27% rated it as accessible, as presented in Figure 41.

Figure 41. **Accessibility of justice**
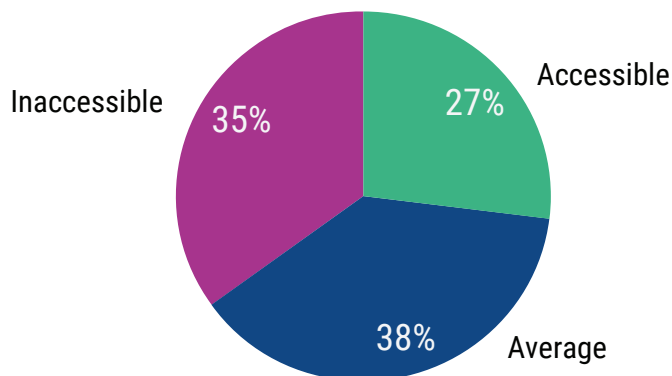
Qn: Focusing on access to justice, how accessible is our justice system, including law enforcement agencies and courts, to citizens—men and women alike—on a scale of 1 to 10, where 1 is not accessible at all, and 10 is extremely accessible?

Quotes from FGD respondents regarding inclusion of law enforcement agencies and courts to both men and women

'I believe they are accessible. I live in King'ong'o, where there is a police post. One can report any cases, and they'll assist where they can.'

'Cases that come to the public limelight always end up being solved, as the government is under massive pressure from the public to deliver justice,'

'Justice is expensive. I have a friend who was involved in gender-based violence. We reported the case to a police station, and the officer assigned the case wanted us to bribe them.'

Table 48 summarizes the key regional highlights. It is worth noting that justice was rated as mostly inaccessible by surveyed residents of the Nairobi (62%) and Central (61%) regions.

A majority of PLWDs (58%) ranked justice as inaccessible, as presented in Figure 42.

Table 48. **Accessibility of justice, by region**

|	Accessible	Average	Inaccessible	Mean rating
Eastern	33%	48%	19%	59.9%
Rift Valley	34%	43%	23%	57.5%
Western	33%	39%	27%	57.0%
Coast	42%	23%	35%	54.6%
North Eastern	23%	52%	25%	53.2%
Nyanza	34%	27%	39%	52.0%
Central	3%	35%	61%	38.5%
Nairobi	7%	31%	62%	37.7%
Urban	21%	37%	41%	48.7%
Rural	31%	38%	31%	54.6%
Total	**27%**	**38%**	**35%**	**52.4%**

Qn: Focusing on access to justice, how accessible is our justice system, including law enforcement agencies and courts, to citizens—men and women alike—on scale of 1 to 10, where 1 is not accessible at all, and 10 is extremely accessible?

Figure 42. **Accessibility of justice: PLWDs vs non-PLWDs**
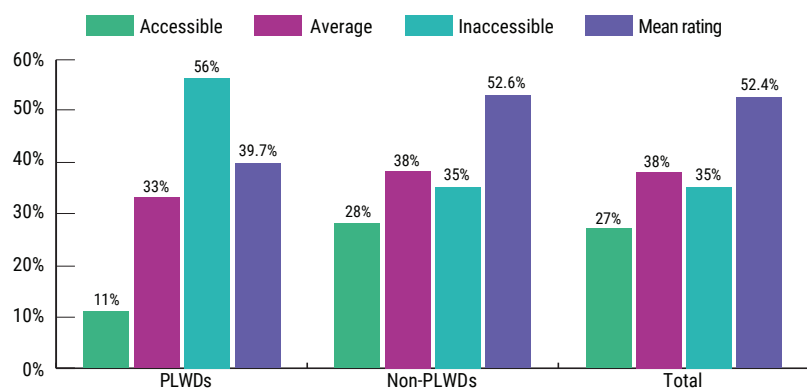
Qn: Focusing on access to justice, how accessible is our justice system, including law enforcement agencies and courts, to citizens—men and women alike—on scale of 1 to 10, where 1 is not accessible at all, and 10 is extremely accessible?

Impartiality of the judiciary

The survey established that respondents were almost equally divided about whether or not the judiciary was independent and impartial in rendering justice. Whereas 43% indicated that it was not, 45% said that it was independent and impartial, as highlighted in Figure 43.

Figure 43. **Independence and impartiality of the judiciary in rendering justice**
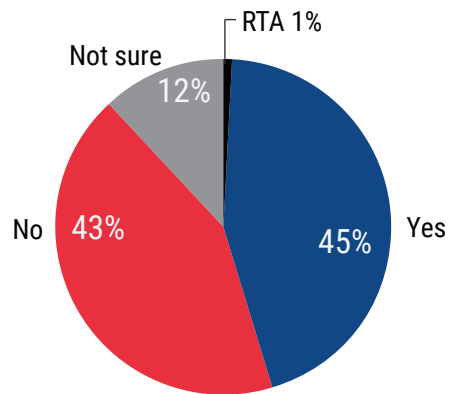
Qn: Would you say the Kenyan judiciary is independent and impartial in rendering justice to citizens?

Quotes from FGD respondents regarding the independence and impartiality of the judiciary in rendering justice to its citizens

'I think it's independent.'

'I feel it's torn in between. Some stakeholders can be influenced by external forces like politicians. We feel like, with recent scandals, offenders get reduced punishment courtesy of bribery. To some extent, it's independent and not independent to some.'

'When it comes to independent institutions like, for example, [the] judiciary, it depends who is getting that justice; sometimes you see other politicians—they get court orders that they are being investigated, which sometimes when you look at it does not make sense.'

Table 49 summarizes the key regional highlights—for example, a majority of respondents in the Central (61%) and North Eastern (59%) regions said the judiciary was neither independent nor impartial.

Table 49. **Independence and impartiality of the judiciary in rendering justice, by region**

	Yes	No	Not sure	RTA
Rift Valley	58%	32%	9%	1%
Western	54%	37%	9%	–
Coast	51%	36%	14%	–
Eastern	36%	43%	20%	1%
Nairobi	36%	51%	12%	1%
Nyanza	36%	45%	19%	0.5%
North Eastern	33%	59%	5%	2%
Central	33%	61%	5%	–
Urban	43%	45%	11%	1%
Rural	46%	41%	13%	1%
Total	**45%**	**43%**	**12%**	**1%**

Qn: Would you say the Kenyan judiciary is independent and impartial in rendering justice to citizens?

Table 50. **Independence and impartiality of the judiciary in rendering justice, by gender and age**

	Yes	No	Not sure	RTA
Male	44%	45%	10%	1%
Female	45%	41%	14%	1%
18–24 years	46%	40%	13%	1%
25–35 years	44%	44%	11%	1%
36–45 years	46%	43%	10%	1%
46–55 years	43%	46%	10%	1%
56+ years	42%	39%	19%	–
Total	**45%**	**43%**	**12%**	**1%**

Qn: Would you say the Kenyan judiciary is independent and impartial in rendering justice to citizens?

A majority of PLWDs (61%), compared with 42% of non-PLWDs, felt that the judiciary was neither independent nor impartial, as presented in Figure 44.

Figure 44. **Independence and impartiality of the judiciary in rendering justice: PLWDs vs non-PLWDs**
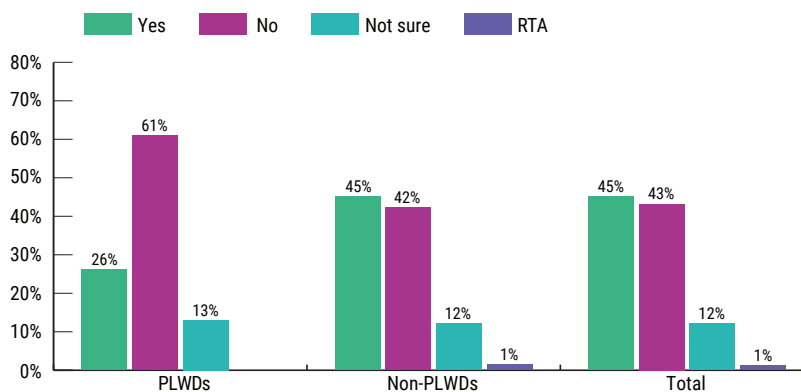
Qn: Would you say the Kenyan judiciary is independent and impartial in rendering justice to citizens?

3.5. ELECTIONS AND MECHANISMS OF DIRECT DEMOCRACY AT THE LOCAL LEVEL

Current Constitution and improved governance

A majority of the respondents (57%) indicated that the current Constitution had resulted in Kenyans being better governed, compared with 34% who disagreed that the current Constitution had resulted in Kenyans being better governed, as presented in Figure 45.

Figure 45. **Current Constitution and improved governance**
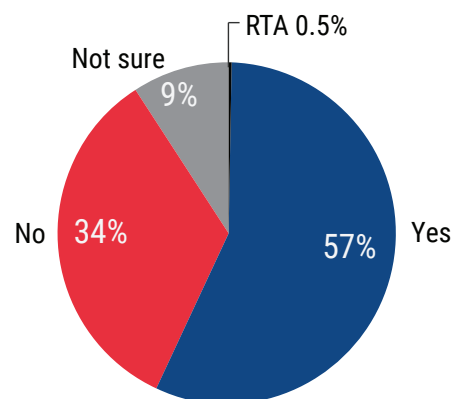
Qn: Do you think the current Constitution has resulted in Kenyans being better governed?

Quotes from FGD respondents regarding whether the current Constitution has resulted in Kenyans being better governed

'[P]ersonally, I can say it is a yes and no. It is yes to the people who follow the Constitution, and it is no for those who violate the Constitution.'

'I think because the Constitution is the best in Africa, but it is not being implemented—like there are some articles in that Constitution which have not been implemented.'

'.[W]hen [the] Constitution was promulgated, I think the resources were supposed to move from Nairobi to other places. You see like you can find that in the county the employees are related to the governor and so and so.'

'You know we are the [ones] who are electing these leaders, so there is nothing we can do since we are the ones electing these bad leaders.'

'Compared to the old one, the new Constitution has increased corruption avenues. The county government has increased the number of employees engaged in corruption. I prefer the old one since there were less servants, hence [fewer] corruption cases as opposed to now.'

'On one side, women have been empowered to take up leadership positions. … Women have been allowed the chance to express themselves freely.'

Regionally, more than half (51%) of respondents from the Central region felt that the current Constitution had not led to Kenyans being better governed, as presented in Table 51.

Table 51. **Current Constitution and improved governance, by region**

	Yes	**No**	**Not sure**	**RTA**
North Eastern	69%	25%	4%	2%
Rift Valley	62%	28%	9%	0.4%
Eastern	60%	30%	10%	0.4%
Western	60%	35%	6%	–
Nyanza	55%	32%	12%	1%
Coast	55%	34%	11%	–
Nairobi	53%	35%	10%	2%
Central	42%	51%	7%	–
Urban	57%	33%	9%	1%
Rural	57%	34%	9%	0.2%
Total	**57%**	**34%**	**9%**	**0.5%**

Qn: Do you think the current Constitution has resulted in Kenyans being better governed?

Table 52. **Current Constitution and improved governance, by gender and age**

	Yes	No	Not sure	RTA
Male	58%	33%	9%	0.2%
Female	56%	34%	10%	1%
18–24 years	55%	33%	11%	1%
25–35 years	56%	36%	8%	0.4%
36–45 years	60%	31%	9%	0.2%
46–55 years	60%	33%	7%	1%
56+ years	55%	33%	12%	–
Total	**57%**	**34%**	**9%**	**0.5%**

Qn: Do you think the current Constitution has resulted in Kenyans being better governed?

More than half of PLWDs (51%) felt that the current Constitution had not led to improved governance; on the other hand, a majority of non-PLWDs (57%) indicated that it had led to improved governance, as presented in Figure 46.

Figure 46. **Current Constitution and improved governance: PLWDs vs non-PLWDs**
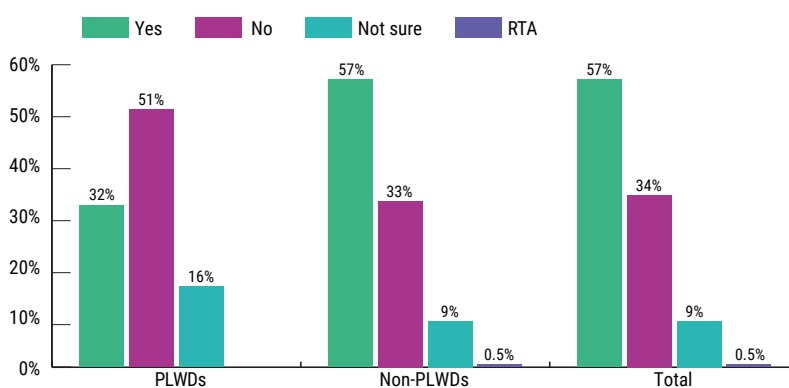
Qn: Do you think the current Constitution has resulted in Kenyans being better governed?

Inclusion of citizens in national and county government decision-making
The survey established that a majority of the respondents felt that the national government mostly included people in decision-making through voting in elections (32%), through the holding of public *barazas* (meetings) (21%) and participation in community projects (17%). For county government the respondents indicated that they were included through the holding of public *barazas* (meetings) (27%), voting/elections (20%) and participation in community projects (19%), as presented in Figure 47.
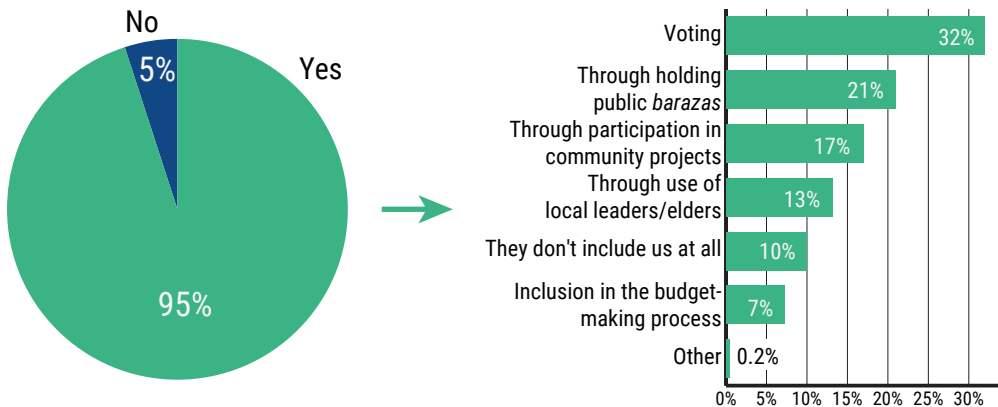
Figure 47. **Inclusion of citizens in national and county government decision-making**
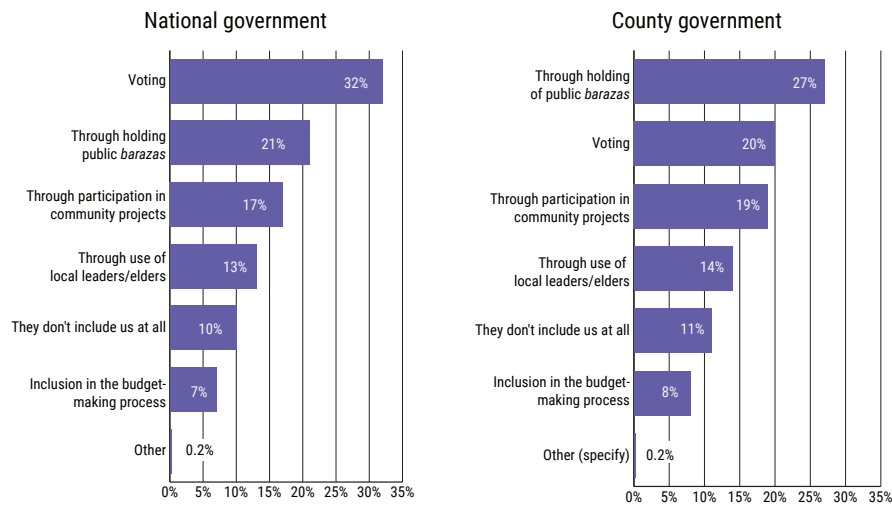
Qn: In your area, how does the national government/county government include people in decision-making?

Nearly all (95%) of the respondents indicated that they were aware of the manner in which the national government included citizens in decision-making, as presented in Figure 48.

Figure 48. **Inclusion of citizens in national government decision-making**

Qn: In your area, how does the national government include people in decision-making?

Table 53 summarizes the key regional highlights.

Table 53. **Inclusion of citizens of national government decision-making, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Through voting/elections	31%	51%	28%	36%	26%	47%	26%	44%	37%	29%	**32%**
Through the holding of public *barazas*	19%	8%	27%	19%	21%	22%	23%	18%	17%	24%	**21%**
Through participation in community projects	15%	7%	21%	12%	21%	11%	14%	15%	16%	17%	**17%**
Through the use of local leaders/elders	16%	12%	12%	8%	14%	9%	21%	8%	11%	14%	**13%**
They don't include us at all	14%	18%	6%	18%	8%	9%	8%	13%	11%	9%	**10%**
Through inclusion in the budget-making process	6%	4%	5%	7%	11%	1%	7%	3%	8%	6%	**7%**
Other	–	–	0.5%	0.3%	–	1%	–	–	0.2%	0.1%	**0.2%**

Qn: In your area, how does the national government include people in decision-making?

Inclusion of citizens in county government decision-making

The level of awareness of inclusion in county government decision-making was high (94%). According to the respondents, the main ways in which the county government includes people in decision-making are through the holding of public *barazas* (27%), through voting/elections (20%) and through participation in community projects (19%), as highlighted in Figure 49.

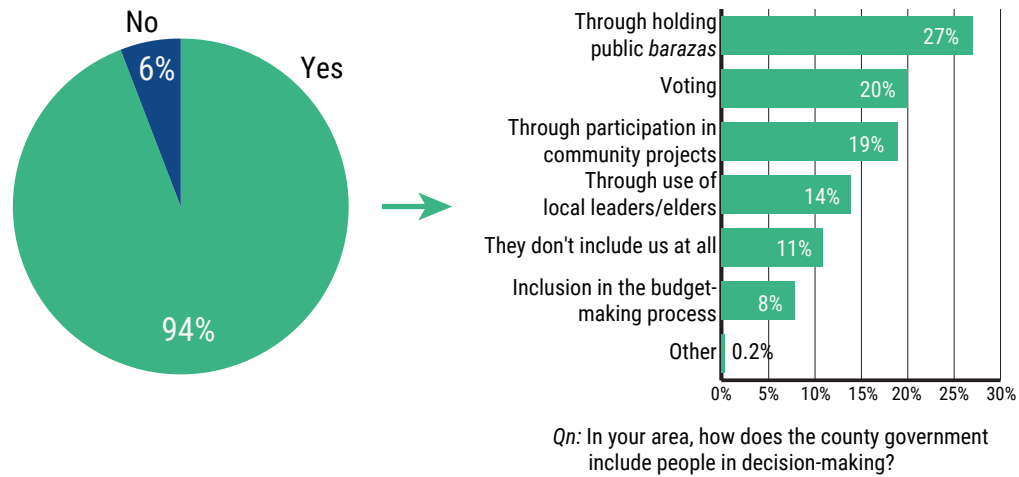Figure 49. **Inclusion of citizens in county government decision-making**

Qn: In your area, how does the county government include people in decision-making?

Table 54 summarizes the key regional findings.

Table 54. **Inclusion of citizens in county government decision-making, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Through the holding of public *barazas*	24%	12%	31%	35%	25%	34%	27%	21%	25%	29%	**27%**
Through voting/ elections	21%	34%	19%	10%	19%	23%	19%	38%	23%	19%	**20%**
Through participation in community projects	16%	6%	21%	16%	22%	21%	17%	14%	18%	19%	**19%**
Through the use of local leaders/ elders	16%	6%	15%	15%	16%	7%	20%	10%	14%	15%	**14%**
They don't include us at all	17%	38%	6%	19%	8%	10%	11%	15%	13%	10%	**11%**
Through inclusion in the budget-making process	6%	3%	9%	6%	11%	5%	6%	2%	7%	8%	**8%**
Other	0.3%	–	0.5%	0.2%	–	0.5%	–	0.4%	0.4%	0.1%	**0.2%**

Qn: In your area, how does the county government include people in decision-making?

Citizens' participation

According to respondents, attending a public government meeting (*baraza*) called by the county government (29%) and attending a public meeting *(baraza)* called by the national government (26%) are two of the ways in which citizens can participate in governance matters, as shown in Table 55.

Table 55. **Citizen participation in government matters**

	Yes	No	RTA	Total
Attending a public government meeting (*baraza*) called by the county government	29%	70%	1%	**100%**
Attending a public meeting (*baraza*) called by the national government	26%	73%	1%	**100%**
Taking part in a county government meeting to plan a project	16%	84%	1%	**100%**
Taking part in a meeting to review the progress of a county government project	15%	84%	1%	**100%**
Taking part in a national government meeting to plan a project	15%	85%	1%	**100%**
Taking part in a county government meeting to review a budget	14%	85%	1%	**100%**
Taking part in a meeting to review the progress of a national government project	13%	86%	1%	**100%**
Taking part in a national government meeting to review a budget	10%	89%	1%	**100%**

Qn: In the last year, have you either taken part in or organized any of the following?

Table 56 presents the key regional findings.

Table 56. **Citizen participation in government matters, by region**

Yes (I have taken part in or organized…)	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Attending a public government meeting (*baraza*) called by the county government	18%	14%	33%	15%	44%	23%	30%	22%	30%	29%	**29%**
Attending a public meeting (*baraza*) called by the national government	18%	8%	25%	11%	36%	29%	27%	25%	25%	26%	**26%**
Taking part in a county government meeting to plan a project	10%	7%	16%	5%	29%	15%	13%	4%	16%	15%	**16%**

Table 56. **Citizen participation in government matters, by region (cont.)**

Yes (I have taken part in or organized…)	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Taking part in a meeting to review the progress of a county government project	11%	4%	14%	6%	26%	18%	13%	3%	15%	15%	**15%**
Taking part in a national government meeting to plan a project	13%	6%	11%	5%	29%	14%	10%	4%	16%	14%	**15%**
Taking part in a county government meeting to review a budget	9%	5%	13%	5%	27%	15%	11%	2%	14%	14%	**14%**
Taking part in a meeting to review the progress of a national government project	11%	7%	9%	4%	27%	11%	11%	2%	13%	13%	**13%**
Taking part in a national government meeting to review a budget	9%	4%	3%	3%	24%	9%	7%	0.3%	11%	10%	**10%**

Qn: In the last year, have you either taken part in or organized any of the following?

Table 57 presents the findings for PLWDs and non-PLWDs.

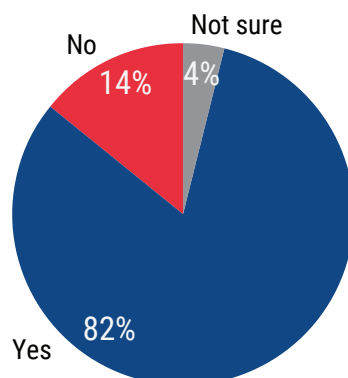Table 57. **Citizen participation in government matters: PLWDs vs non-PLWDs**

	PLWDs	Non-PLWDs	Total
Attending a public government meeting (*baraza*) called by the county government	43%	29%	**29%**
Attending a public meeting (*baraza*) called by the national government	33%	26%	**26%**
Taking part in a county government meeting to plan a project	23%	16%	**16%**
Taking part in a meeting to review the progress of a county government project	25%	15%	**15%**
Taking part in a national government meeting to plan a project	19%	15%	**15%**
Taking part in a county government meeting to review a budget	15%	14%	**14%**
Taking part in a meeting to review the progress of a national government project	12%	13%	**13%**
Taking part in a national government meeting to review a budget	9%	10%	**10%**

Qn: In the last year, have you either taken part in or organized any of the following?

Importance of citizen participation in the national and county government decision-making process

The survey established that a large majority of respondents (82%) believe that participating in national government and county government decision-making processes is a good way to improve governance and government decision-making. Only 14% noted that citizen participation in national government and county government decision-making was not a good way to improve governance and government decision-making. Findings are presented in Figure 50.
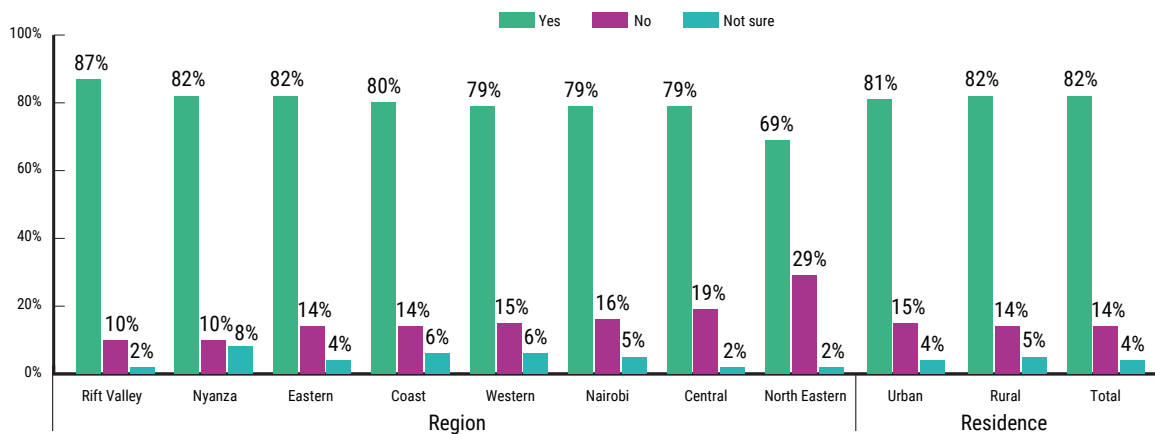
Figure 50. **Importance of citizen participation in national and county government decision-making processes**

Qn: Overall, do you think that citizen participation in national government and county government decision-making processes is a good way to improve governance and government decision-making?

Regionally, a large majority of respondents felt that citizen participation in national government and county government decision-making processes was a good way to improve governance and government decision-making, ranging from 69% in the North Eastern region up to 82% in both the Nyanza and Eastern regions and 87% in the Rift Valley region, as presented in Figure 51.
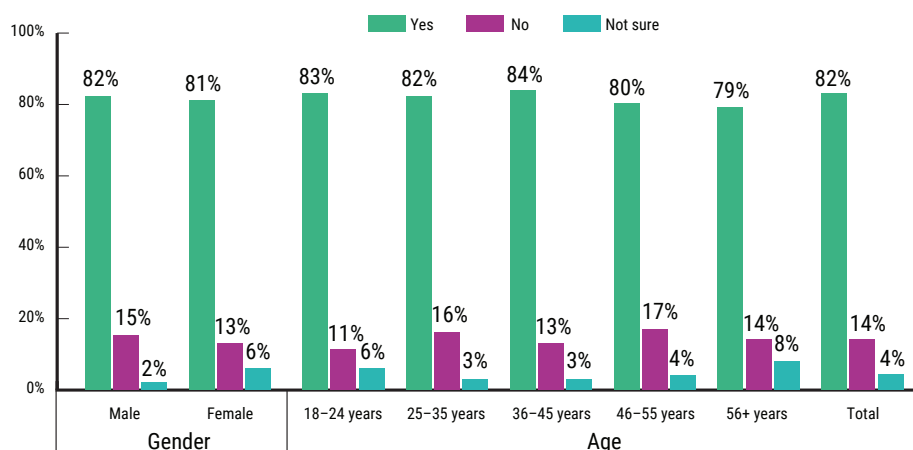
Figure 51. **Importance of citizen participation in national and county government decision-making processes, by region**

Qn: Overall, do you think that citizen participation in national government and county government decision-making processes is a good way to improve governance and government decision-making?

Nearly identical percentages of men (82%) and women (81%) agreed that citizen participation in national government and county government decision-making processes was a good way to improve governance and government decision-making, as shown in Figure 52.
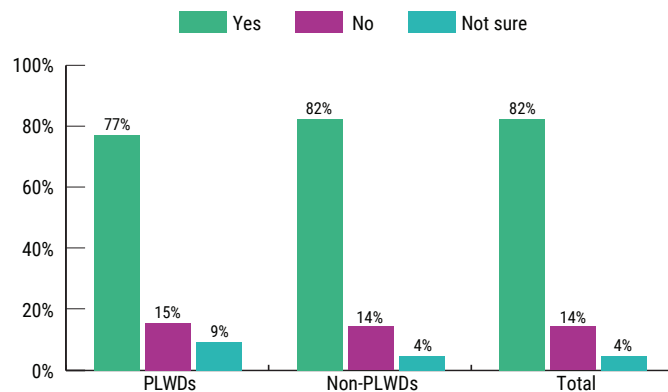
Figure 52. **Importance of citizen participation in national and county government decision-making processes, by gender and age**


Qn: Overall, do you think that citizen participation in national government and county government decision-making processes is a good way to improve governance and government decision-making?

Citizen participation in national government and county government decision-making processes was viewed more positively by non-PLWDs (82%) than by PLWDs (77%), as presented in Figure 53.

Figure 53. **Importance of citizen participation in national and county government decision-making processes: PLWDs vs non-PLWDs**

Qn: Overall, do you think that citizen participation in national government and county government decision-making processes is a good way to improve governance and government decision-making?

3.6. LOCAL LEGISLATURE

Performance of county assemblies and their members

Of the respondents, 35% held a negative view of the performance of members of county assemblies (MCAs), another 35% said their performance was average, and 30% rated it as good. On the other hand, 33% of the respondents ranked the performance of their county assembly as poor, 37% ranked it as average, and 30% ranked it as good. Figure 54 presents the key findings.

Figure 54. **Performance of county assembly and MCAs**
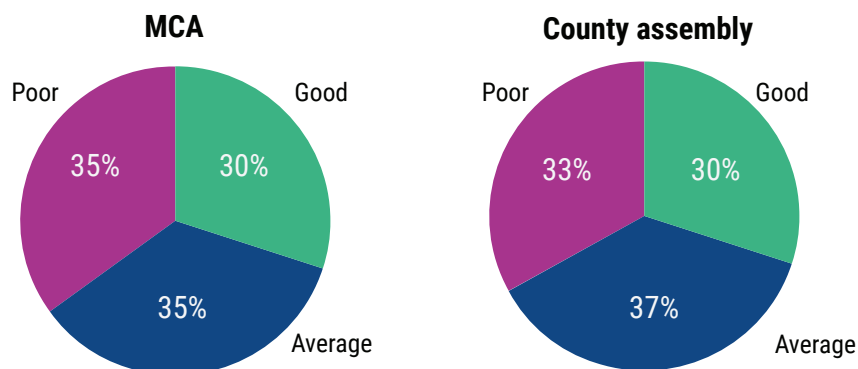
Qn: On a scale of 1 to 10, where 1 is very poor and 10 is excellent, how would you rate the performance of your member of county assembly and your county assembly?

Quotes from FGD respondents regarding the performance of their members of county assembly and their respective county assemblies

'There is [a] duplication of roles with the new Constitution. For instance, I feel MCAs have no stipulated roles to play; yet, they are paid.'

'MCAs start undertaking projects in the election periods to entice the citizens into voting [for] them; yet, they had ample time to carry out the projects they had promised.'

'There are a lot of elective positions from the President to the MCAs. All might not perform, but there might be one who makes a difference. I prefer throwing the net into the waters; it might capture a good leader in the process among many bad ones.'

'In some rural areas the MCAs are really trying by redoing roads and mounting streetlights. They are trying.'

'Let's not view elections from the top seat of the president but at the lower ranks of MCAs, who are our neighbours. They are more responsive to our needs. Let's focus on the county governments.'
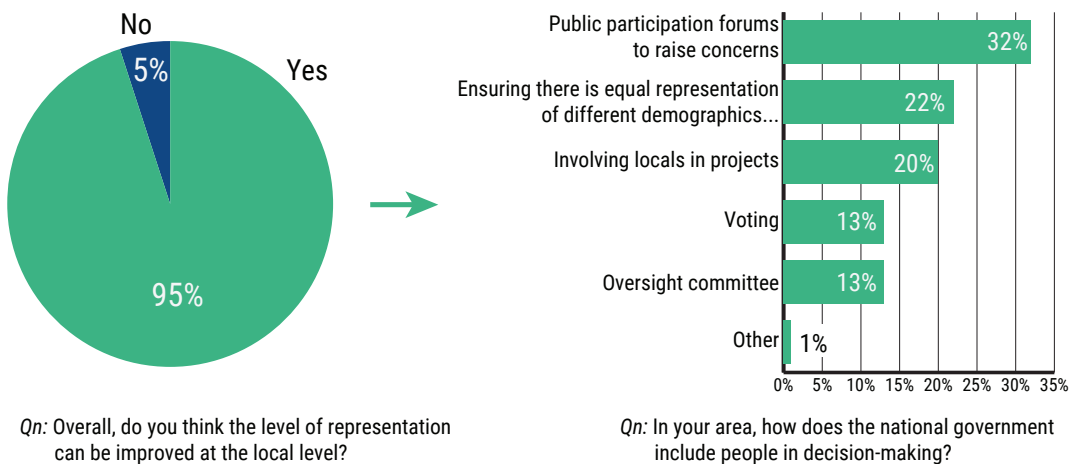
'We saw the MCAs get car grants just to pass the BBI [Building Bridges Initiative] report.'

'Just look at Turkana County; we have a female MCA who reached class four in terms of education. She was given a chance.'

Ways of improving local-level representation

Almost all (95%) of the surveyed respondents indicated that the level of representation could be improved at the local level. Of these, 32% mentioned that it could be improved through public forums to raise concerns, by ensuring that there was equal representation of different demographics (22%) and also by involving locals in projects (20%), as summarized in Figure 55.

Figure 55. **Ways of improving local-level representation**

Qn: Overall, do you think the level of representation can be improved at the local level?

Qn: In your area, how does the national government include people in decision-making?

On a regional basis, public forums to raise concerns were mentioned most frequently by surveyed residents of the Western region (40%), while ensuring that there is equal representation of different demographics (e.g. age, gender, sex) was cited most often by surveyed respondents from the Eastern (24%) and Nyanza (24%) regions, as shown in Table 58.

Table 58. **Ways of improving local-level representation, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Holding public forums to raise concerns	26%	30%	32%	32%	31%	40%	28%	36%	32%	32%	**32%**
Ensuring that there is equal representation of different demographics (e.g. age, gender, sex)	22%	19%	24%	23%	21%	14%	24%	22%	22%	21%	**22%**
Involving locals in projects	19%	27%	20%	21%	18%	22%	17%	20%	21%	19%	**20%**
Voting/Elections	17%	20%	11%	10%	16%	11%	15%	8%	12%	14%	**13%**
Including members of the public in oversight committees	16%	4%	13%	11%	13%	12%	15%	14%	12%	13%	**13%**
Other	0.3%	–	0.5%	2%	1%	1%	0.3%	1%	1%	1%	**1%**

Qn: In your area, how does the national government include people in decision-making?

There were marginal differences in responses in terms of gender and age, as highlighted in Table 59.

Table 59. **Ways of improving local-level representation, by gender and age**

	Male	Female	18−24 years	25−35 years	36−45 years	46−55 years	56+ years	Total
Holding public forums to raise concerns	32%	32%	29%	30%	34%	33%	36%	**32%**
Ensuring that there is equal representation of different demographics (e.g. age, gender, sex)	21%	22%	22%	22%	20%	22%	21%	**22%**
Involving locals in projects	19%	20%	19%	21%	21%	16%	19%	**20%**

Table 59. **Ways of improving local-level representation, by gender and age (cont.)**

	Male	Female	18–24 years	25–35 years	36–45 years	46–55 years	56+ years	Total
Voting/Elections	14%	13%	15%	14%	13%	14%	8%	**13%**
Including members of the public in oversight committees	13%	12%	14%	13%	11%	13%	13%	**13%**
Other	1%	1%	1%	1%	1%	1%	2%	**1%**

Qn: In your area, how does the national government include people in decision-making?

On a different front, there were minor disparities in the sentiments of PLWDs and non-PLWDs, as presented in Table 60.

Table 60. **Ways of improving local-level representation: PLWDs vs non-PLWDs**

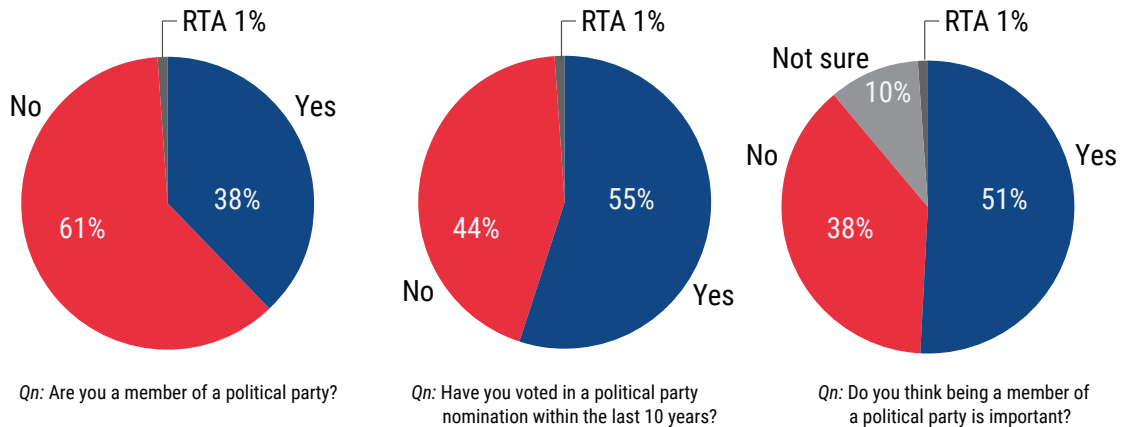|	PLWDs	Non-PLWDs	Total
Holding public forums to raise concerns	39%	32%	**32%**
Ensuring that there is equal representation of different demographics (e.g. age, gender, sex)	21%	22%	**22%**
Involving locals in projects	23%	20%	**20%**
Voting/Elections	5%	13%	**13%**
Including members of the public in oversight committees	9%	13%	**13%**
Other	2%	1%	**1%**

Qn: In your area, how does the national government include people in decision-making?

3.7. **POLITICAL PARTIES**

Membership and participation in political party nominations
A majority (61%) of the respondents indicated that they were not members of a political party, and about two in every five (44%) had not participated in a political party nomination over the previous 10 years. On the other hand, whereas more than half (51%) indicated that being a member of a political party was important, 38% noted that it was not important. Figure 56 highlights the overall findings.

Figure 56. **Membership in political parties**

RTA 1%

No
61%
Yes
38%

Qn: Are you a member of a political party?

RTA 1%

No
44%
Yes
55%

Qn: Have you voted in a political party nomination within the last 10 years?

RTA 1%

Not sure
10%

No
38%
Yes
51%

Qn: Do you think being a member of a political party is important?

Quotes from FGD respondents regarding membership and voting in a party

'Yes I am a member of Wiper Democratic.'

'There [was] a time when there was a code for everyone to use to check, so I just found myself as a registered member.'

'ODM [Orange Democratic Movement].'

'I am member of Wiper Democratic Party.'

'I am not a member.'

Participation in political party nominations

The survey established that 85% of the survey respondents who indicated that they were members of a political party had voted in a political party nomination within the previous 10 years. On the other hand, 63% of those who mentioned that they were not members of a political party had not voted in a political party nomination within the previous 10 years. Detailed findings are presented in Figure 57.

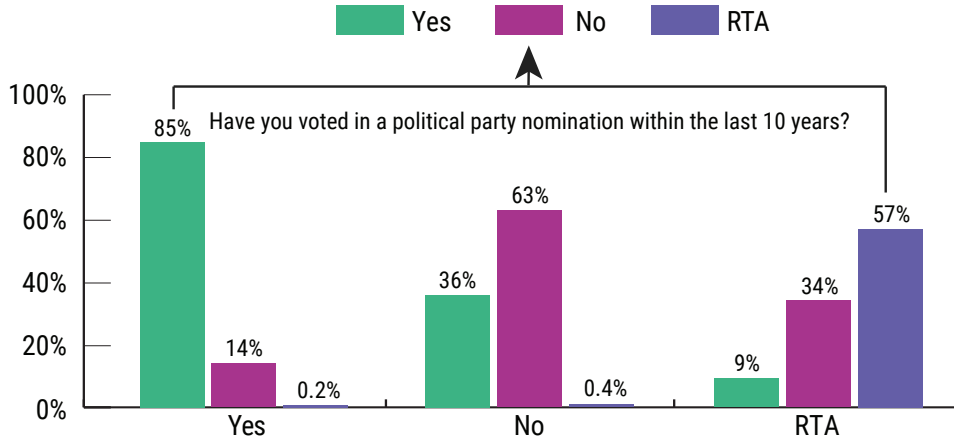**Quotes from FGD respondents regarding voting in a political party nomination within the last 10 years**

'Yes, I [have] voted in a political party nomination.'

'Yes, because nominations help cut [down] the big number of aspirants. This [makes it] easier [to choose]

among the few aspirants. People are also able to attend the rallies and make informed decisions.'

'Yes, because you are able to back your preferred candidate.'

Figure 57. **Voting in political party nominations**

Qn: Are you a member of a political party?

Regionally, the highest proportions of respondents who indicated that they had voted in political party nominations were in the Western (69%) and Rift Valley (66%) regions, as seen in Figure 58.
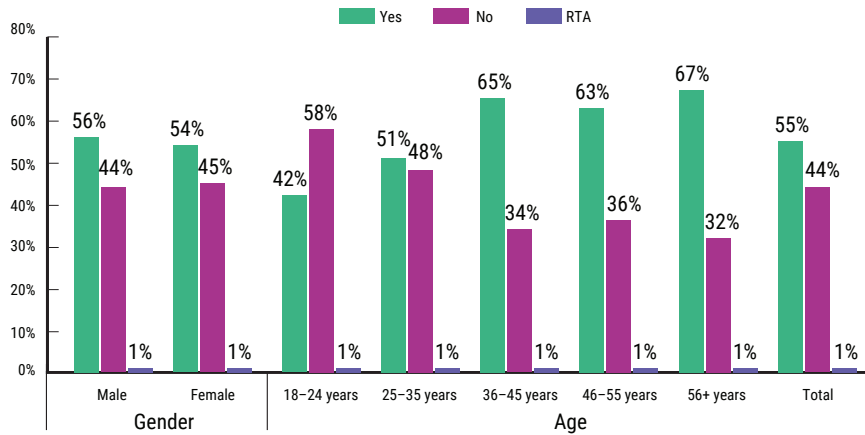
Figure 58. **Voting in political party nominations, by region**
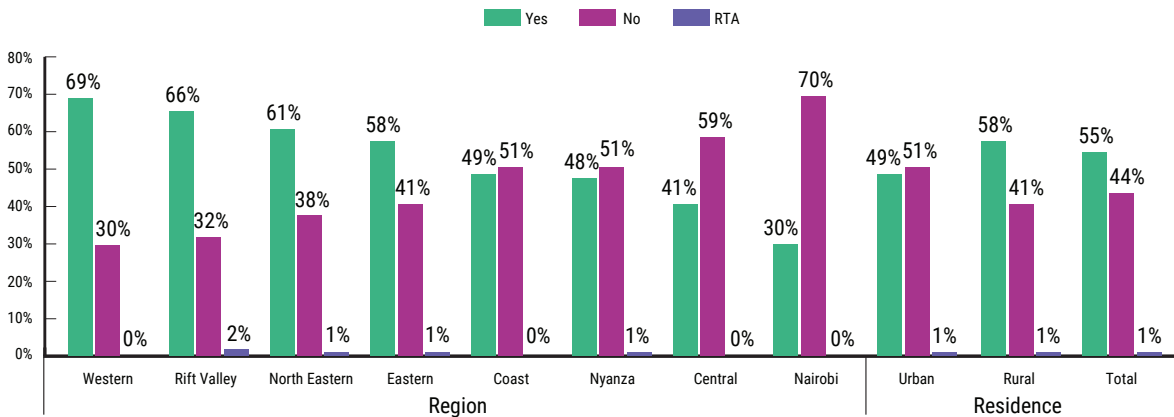
Qn: Have you voted in a political party nomination within the last 10 years?

Slightly more men (56%) than women (54%) indicated that they had voted in a political party nomination within the previous 10 years. Furthermore, a higher percentage of older (36+ years) surveyed respondents as compared to their younger (18–35 years) counterparts had voted in a political party nomination in the previous 10 years, as presented in the Figure 59.
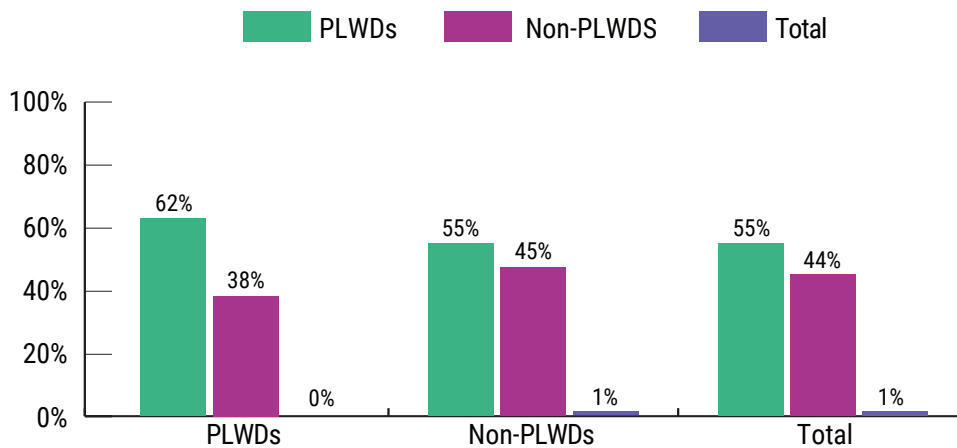
Figure 59. **Voting in political party nominations, by gender and age**

Qn: Have you voted in a political party nomination within the last 10 years?

More PLWDs (62%) said that they had voted in a political party nomination than non-PLWDs (55%), as highlighted in Figure 60.

Figure 60. **Participation in political party nominations: PLWDs vs non-PLWDs**


Qn: Have you voted in a political party nomination within the last 10 years?

Membership in a political party

About half of the residents of the Rift Valley (53%) and Western (47%) regions indicated that they were members of a political party. The lowest proportions of respondents who indicated that they were members of a political party were recorded in the Central (22%) and Nairobi (10%) regions, as shown in Figure 61.

Figure 61. **Membership in a political party, by region**
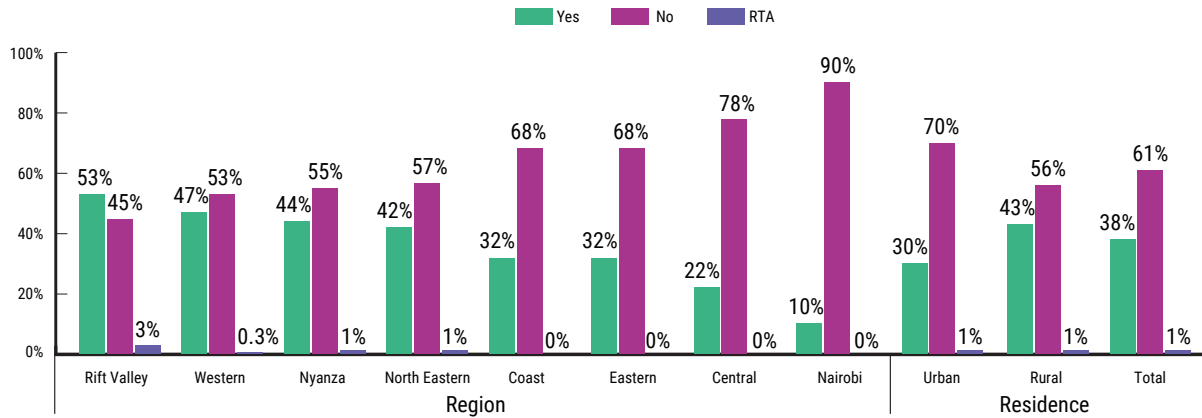
Qn: Are you a member of a political party?

Quotes from FGD respondents regarding being member of a political party

'No, I am not a member of a political party. Members have to elect leaders from their party, and in some cases that person is not the best candidate. I feel party membership denies freedom to vote in your candidate of choice.'

'Yes, I am a member of a political party. It gives those vying for [elective] positions the power to serve their constituents and be in a position to air their grievances.'

'Political endorsements are not important to us. We look at the leader's manifesto and not party affiliations.'

'No, I am not a member of a political party. These leaders are just in it for the money. They undertake projects pre-election like construction of the Thika-Nyeri highway. This was a project I believe should have been done two years ago.'

The findings in terms of gender are presented in Figure 65. Notably, more men (41%) than women (35%) acknowledged that they were members of a political party. Moreover, higher proportions of older surveyed respondents, compared with younger respondents, indicated that they were members of a political party, as shown in Figure 62.
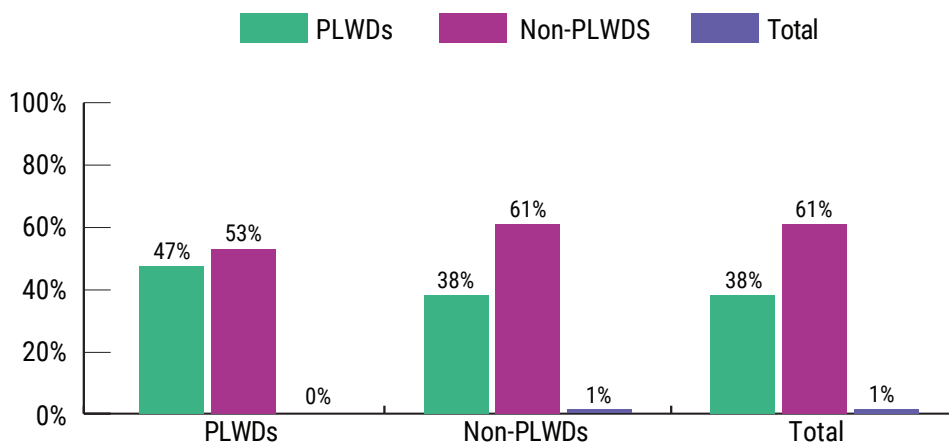
Figure 62. **Membership in a political party, by gender and age**
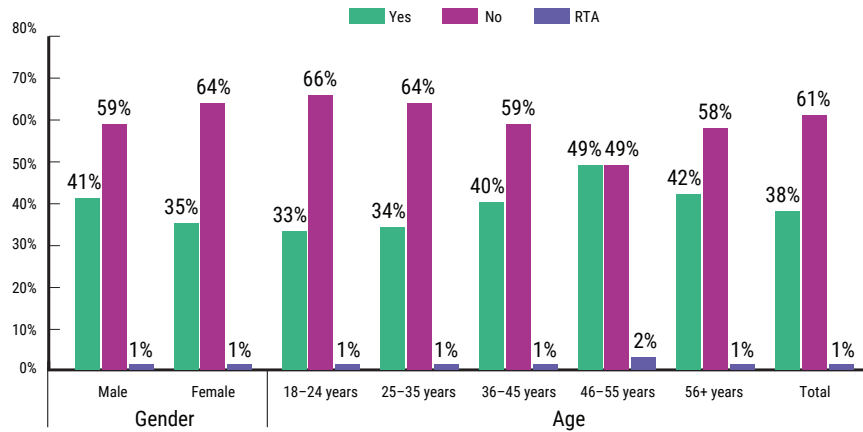
Qn: Are you a member of a political party?

Interestingly, more PLWDs (47%) are members of a political party than are non-PLWDs (38%), as shown in Figure 63.

Figure 63. **Membership in a political party: PLWDs vs non-PLWDs**

Qn: Are you a member of a political party?

Importance of political party membership

The survey established that 84% of the respondents who indicated that they were members of a political party felt that being a member of a political party was important. On the other hand, 55% of those who mentioned that they were not members of a political party felt that being a member of a political party was not important. Detailed findings are presented in Figure 64.

Figure 64. **Membership in a political party**
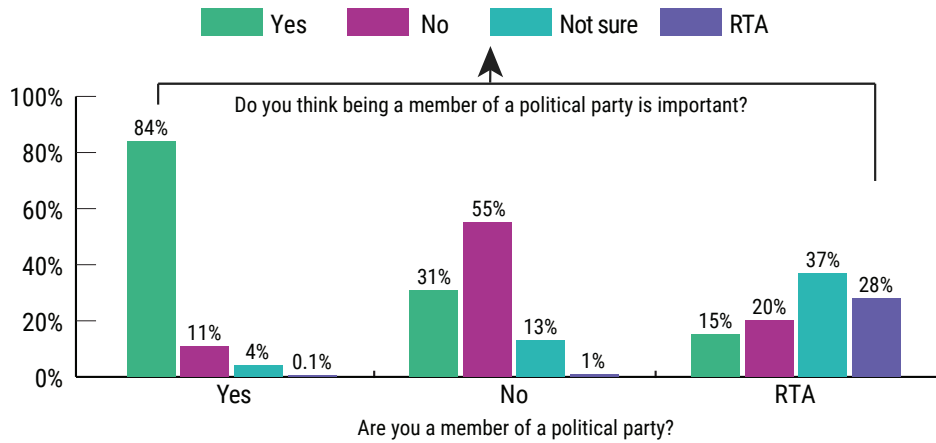
Qn: Do you think being a member of a political party is important?

**Quotes from FGD respondents regarding the importance of being a member of a political party**

'Yes, because nominations help cut [down] the big number of aspirants. This [makes it] easier [to choose] among the few aspirants. People are also able to attend the rallies and make informed decisions.'

'Yes. I was a KANU [Kenya African National Union] member sometime back.'

'Yes, because you are able to back your preferred candidate.'

The highest percentages of respondents who thought that being a member of a political party was important were in the Western (63%) and North Eastern (60%) regions. On the other hand, the highest percentages of respondents who thought that being a member of a political party was not important were from the Central (57%) and Nairobi (46%) regions (see Figure 65).

Figure 65. **Whether being a member of a political party is important, by region**
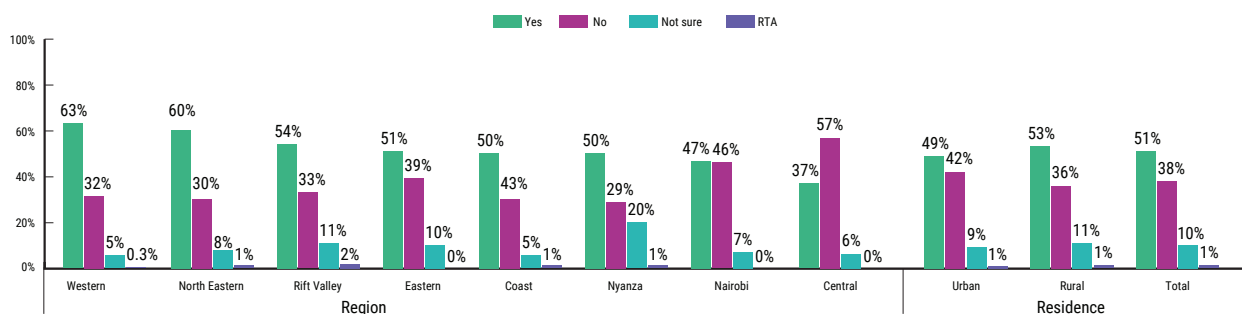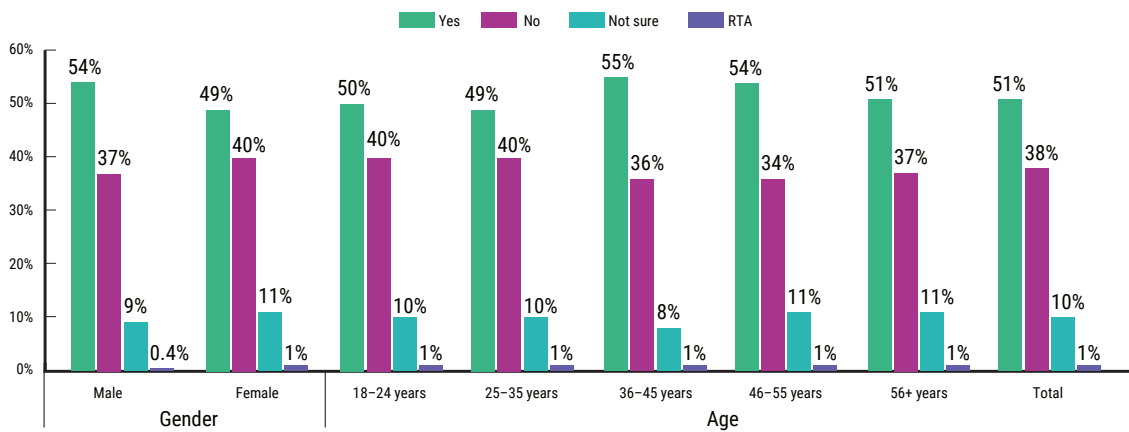

Qn: Do you think being a member of a political party is important?

More men (54%) than women (49%) felt that being a member of a political party was important. On the other hand, a larger percentage of respondents aged 36–55 years compared with their older (56+ years) counterparts, indicated that it was important, as presented in Figure 66.

Figure 66. **Whether being a member of a political party is important, by gender and age**

Qn: Do you think being a member of a political party is important?

An equal percentage of PLWDs and non-PLWDs (51%) viewed being a member of a political party as important, as presented in Figure 67.
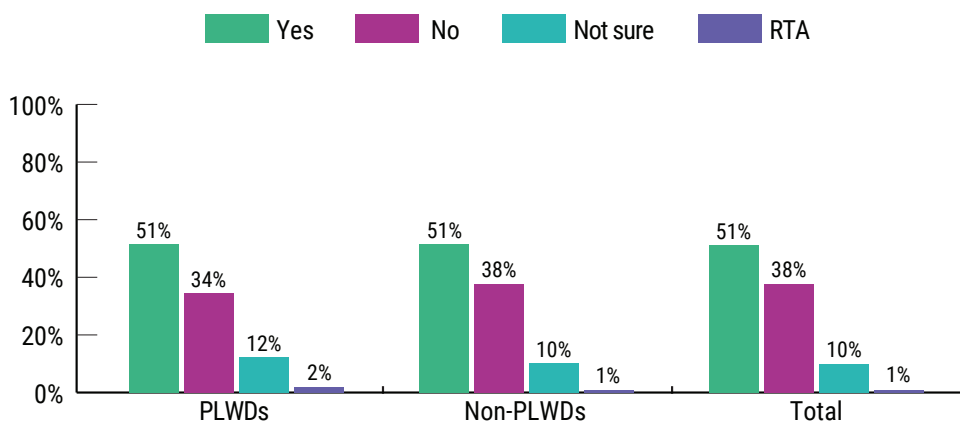
Figure 67. **Whether being a member of a political party is important: PLWDs vs non-PLWDs**
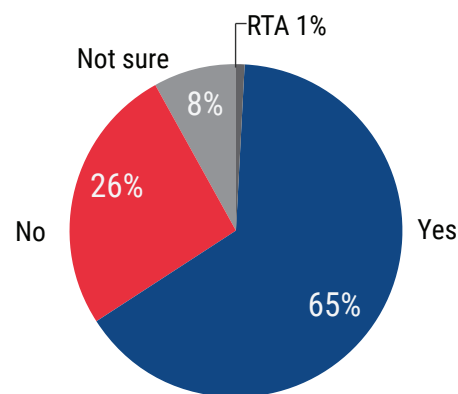

Qn: Do you think being a member of a political party is important?

Importance of voting in political party nominations

A significant proportion of the surveyed respondents (65%) indicated that voting in political party nominations was important. On the other hand, 26% mentioned that voting was not important, and 8% were not sure, as shown in Figure 68.

Figure 68. **Whether voting in a political party nomination is important**

Qn: Do you think voting in political party nominations is important?

The survey found that 89% of the respondents who indicated that being a member of a political party was important felt that voting in political party nominations was important. On the other hand, 52% of those who mentioned that being a member of a political party was not important felt that voting in political party nominations was not important. Detailed findings are presented in Figure 69.

Quotes from FGD respondents regarding the importance of voting in political party nominations

'It is very important. For instance, in Uasin Gishu those who don't have [a] UDA [United Democratic Alliance, a political party based in Kenya] ticket will be bound to fail. UDA nominations will determine the candidate who will be elected in 2022. [The] same case applies with Kirinyaga, where the governor felt the UDA wave and joined it. [Whoever] wants to win the elections here should get [a] UDA ticket. Also, in Nyanza having an ODM [Orange Democratic Movement] ticket is important.'

'Nominations are meant to reduce… the number of aspirants [and] hence [to] reduce the [number of] ballot papers… printed.'

'My vote won't count.'

Figure 69. **Whether voting in a political party nomination is important**
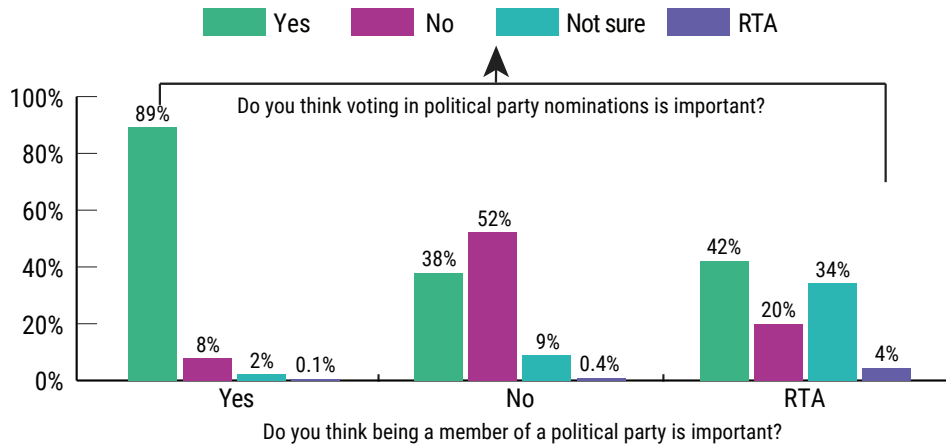
Qn: Do you think voting in political party nominations is important?

In terms of regions, the highest percentages of respondents who deemed voting in political party nominations to be important were from the Western (74%) and North Eastern (71%) regions. The lowest proportions recorded were for residents from the Nyanza (60%) and Coast (59%) regions, as presented in Figure 70.

Figure 70. **Whether voting in a political party nomination is important, by region**
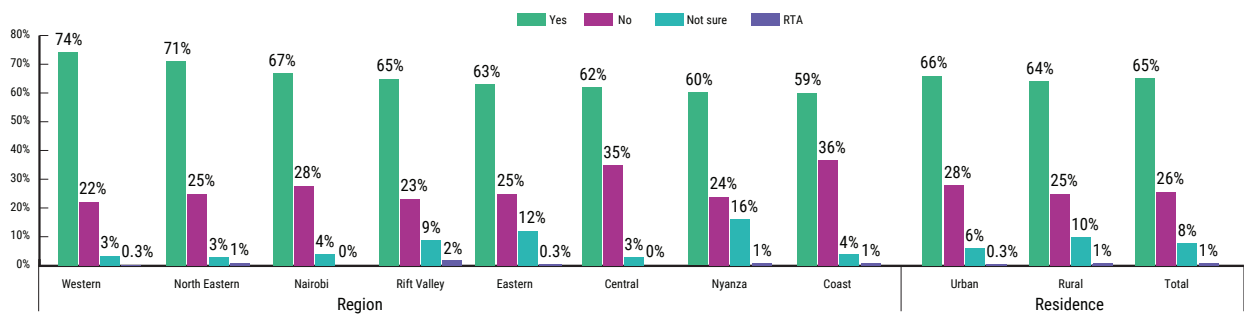
Qn: Do you think voting in political party nominations is important?

More men (68%) than women (62%) considered voting in political party nominations important, as shown in Figure 71.
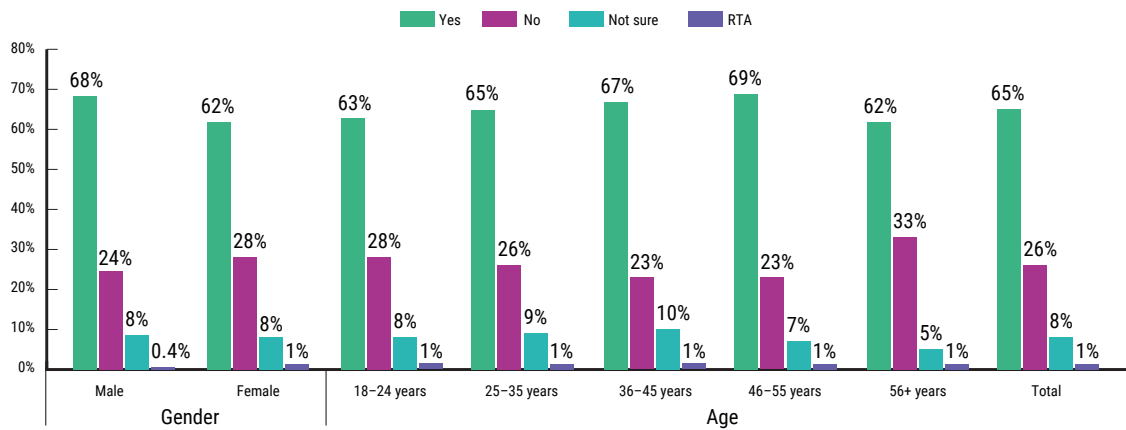
Figure 71. **Whether voting in a political party nomination is important, by gender and age**

Qn: Do you think voting in political party nominations is important?

Ways of improving participation in political parties

A relatively high proportion (93%) of surveyed respondents were aware of ways to improve participation in political parties, including by eradicating tribalism in political parties (26%), educating the public on the importance of political parties (21%) and ensuring that political parties show transparency (19%), as presented in Figure 72.

Figure 72. **Ways of improving participation in political parties**
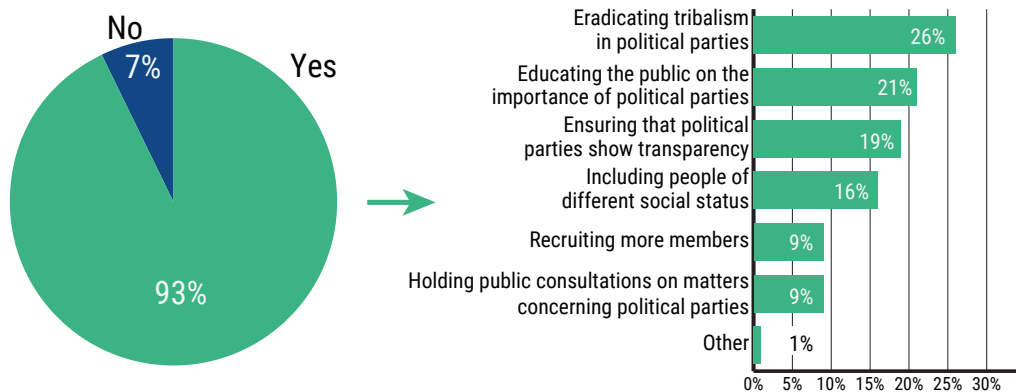
Qn: Overall, how do you think the level of participation in political parties can be increased?

Quote from FGD respondent regarding how the levels of participation in politcal party nomination can be increased

'I think I will say it is our responsibility to put [the] right leaders in the right place and make them accountable. [This] will be…possible if civic education is [provided], because you realize that, like in our previous discussion, people tend to go for what is available.'

Table 61 presents detailed regional findings, which mirror the overall findings.

Table 61. Ways of improving participation in political parties, by region

	Western	Eastern	Nairobi	North Eastern	Rift Valley	Central	Coast	Nyanza	Urban	Rural	Total
Eradicating tribalism in political parties	36%	29%	29%	27%	25%	25%	24%	20%	27%	26%	**26%**
Educating the public on the importance of political parties	17%	21%	24%	25%	22%	17%	21%	20%	20%	21%	**21%**
Ensuring that political parties show transparency	18%	16%	19%	17%	20%	16%	18%	22%	18%	19%	**19%**
Including people of different social status	19%	17%	14%	11%	14%	20%	17%	14%	16%	16%	**16%**
Recruiting more members	5%	8%	7%	7%	10%	10%	10%	12%	9%	10%	**9%**
Holding public consultations on matters concerning political parties	4%	8%	6%	13%	8%	12%	10%	10%	10%	8%	**9%**
Other	1%	–	1%	–	1%	1%	–	0.1%	0.3%	1%	**1%**

Qn: Overall, how do you think the level of participation in political parties can be increased?

3.8. LOCAL GOVERNING BODIES

Description of local/community participation

Of the respondents, 31% said that they encourage their family and friends to participate in the activities of local governing bodies, 21% become concerned if their local governing body is inactive, and 18% try to find out what their local governing body is doing at any time, as shown in Figure 73.

In regional terms, encouraging family and friends to participate in the activities of local governing bodies was mentioned most often by the residents of the Nairobi (55%) and Western (53%) regions. The highest percentage of residents to indicate that they became concerned if their local governing body was inactive were from the North Eastern (32%) region, as presented in Table 62.

Figure 73. **Description of local/community participation**
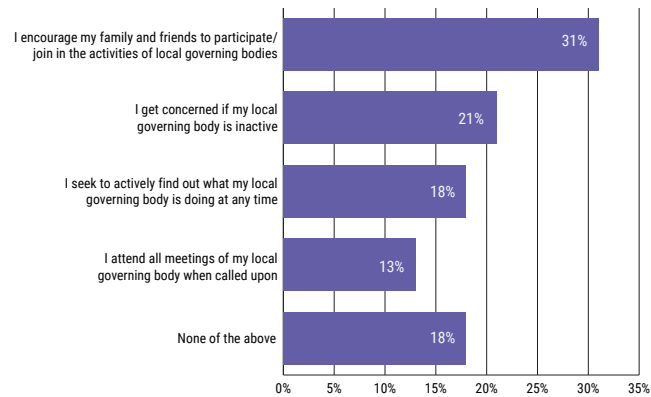
Qn: Which of the following statements best describes you with regard to your participation in local/community decision-making processes spearheaded by local governing bodies?

Table 62. **Description of local/community participation, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
I encourage my family and friends to participate in the activities of local governing bodies	35%	23%	22%	18%	24%	53%	32%	55%	33%	30%	**31%**
I become concerned if my local governing body is inactive	11%	32%	22%	24%	17%	20%	25%	22%	21%	21%	**21%**
I try to find out what my local governing body is doing at any time	15%	14%	30%	11%	17%	18%	17%	13%	15%	19%	**18%**
I attend all meetings of my local governing body when called upon	12%	6%	9%	5%	23%	7%	14%	8%	12%	13%	**13%**
None of the above	27%	25%	17%	42%	18%	3%	12%	3%	20%	17%	**18%**

Qn: Which of the following statements best describes you with regard to your participation in local/community decision-making processes spearheaded by local governing bodies?

Table 63 presents the findings broken down by gender and age.

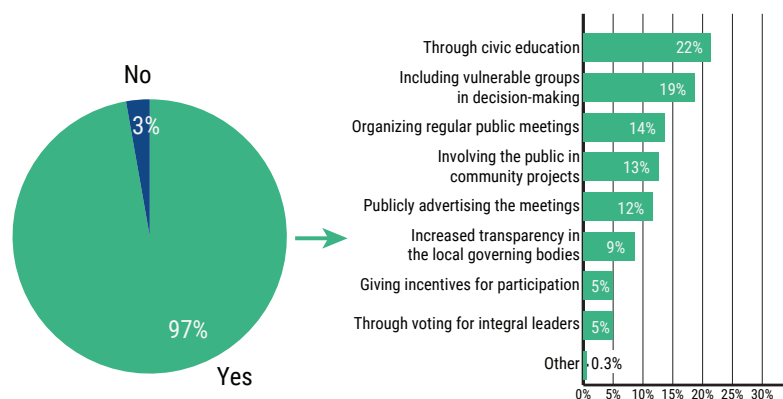Table 63. **Description of local/community participation, by gender and age**

	Male	Female	18–24 years	25–35 years	36–45 years	46–55 years	56+ years	Total
I encourage my family and friends to participate in the activities of local governing bodies	31%	31%	25%	31%	32%	35%	39%	**31%**
I become concerned if my local governing body is inactive	22%	19%	20%	24%	21%	21%	14%	**21%**
I try to find out what my local governing body is doing at any time	17%	18%	20%	17%	14%	18%	19%	**18%**
I attend all meetings of my local governing body when called upon	13%	12%	13%	10%	16%	15%	9%	**13%**
None of the above	17%	18%	21%	17%	17%	11%	20%	**18%**

Qn: Which of the following statements best describes you with regard to your participation in local/community decision-making processes spearheaded by local governing bodies?

Ways of improving participation in the activities of local governing bodies

Respondents demonstrated a high degree of awareness (97%) of ways to improve participation in the activities of local governing bodies. Of those who indicated that they were aware, 22% said that participation in the activities of local governing bodies could be improved through civic education; others mentioned including vulnerable groups in decision-making (19%), organizing regular public meetings (14%) and involving the public in community projects (13%), as shown in Figure 74.

Figure 74. **Ways of improving participation in the activities of the local governing bodies**

No 3%

Yes 97%

|	
Through civic education	22%
Including vulnerable groups in decision-making	19%
Organizing regular public meetings	14%
Involving the public in community projects	13%
Publicly advertising the meetings	12%
Increased transparency in the local governing bodies	9%
Giving incentives for participation	5%
Through voting for integral leaders	5%
Other	0.3%

Qn: Overall, how do you think the level of participation in the activities of our local governing bodies can be improved?

3.9. CUSTOMARY AND TRADITIONAL INSTITUTIONS

Importance of different institutions

Religious groups (64%), village elders (47%), community elders (40%) and age groups (41%) were rated as important institutions. It is noteworthy that significant percentages of the respondents rated religious groups (14%), village elders (21%), community elders (25%) and age groups (28%) as unimportant, as presented in Figure 75.

Figure 75. **Importance of different institutions**
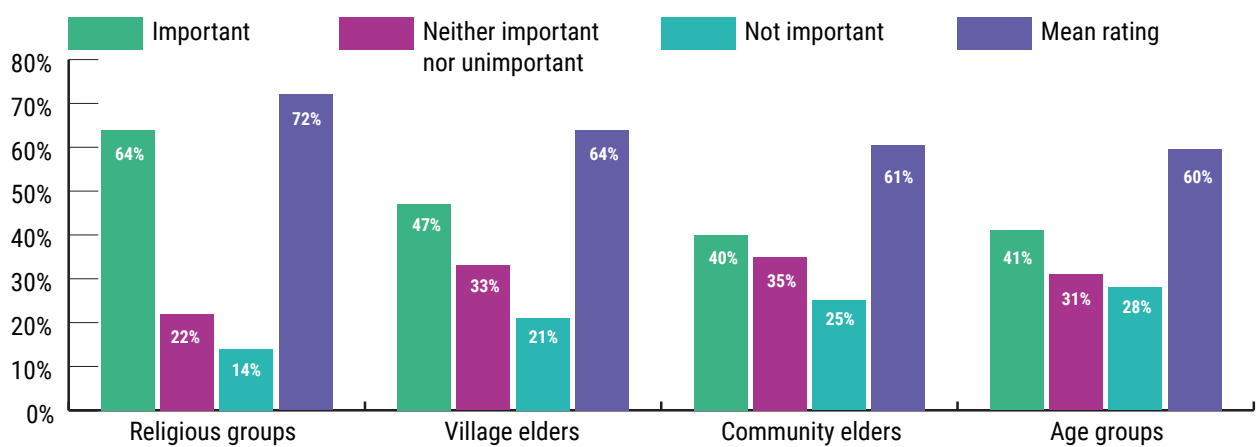
Qn: On a scale of 1 to 10, where 1 is not important at all and 10 is very important, how would you rate the importance of the following institutions in governance?

Table 64 presents detailed regional findings.

Table 64. **Importance of institutions in governance, by region**

|	Religious groups	Village elders	Age groups	Community elders
Eastern	78%	46%	44%	37%
Coast	76%	62%	59%	57%
North Eastern	75%	31%	37%	22%
Nairobi	68%	47%	44%	40%
Nyanza	65%	49%	46%	41%
Western	64%	45%	39%	44%
Rift Valley	59%	52%	38%	40%
Central	43%	30%	31%	31%
Total	**64%**	**47%**	**41%**	**40%**

Qn: On a scale of 1 to 10, where 1 is not important at all and 10 is very important, how would you rate the importance of the following institutions in governance?

Ways of improving the participation of customary and traditional institutions in governance

A high proportion (89%) of the surveyed respondents acknowledged that they were aware of the manner in which customary and traditional institutions could be strengthened to improve their participation in governance. Of these, 39% mentioned involving them in the planning and execution of policies, 33% mentioned government funding of their initiatives, and 27% mentioned capacity-building in government institutions. Figure 76 highlights the main findings.

Figure 76. **Ways of improving the participation of customary and traditional institutions in governance**

Qn: Overall, how do you think customary and traditional institutions can be strengthened to improve their participation in governance?
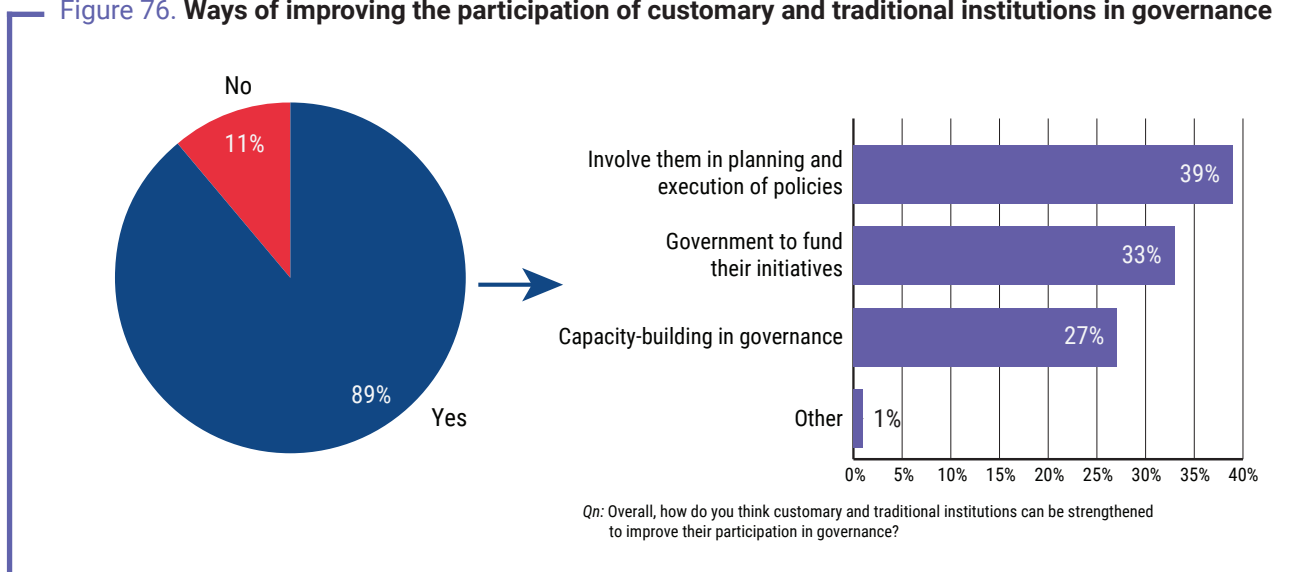
3.10. ACTIVE CITIZEN ENGAGEMENT

Importance of citizens' participation in governance

The survey established that a large majority (82%) of the respondents considered the participation of citizens critical for government decision-making. Figure 77 presents an overview of the findings.

Quote from FGD respondent regarding whether their participation matters in government decision making

'Personally, I feel Kenya has achieved great democratic milestones, including the adoption of an inclusive and progressive constitution [in] 2010, a more decentralized governance structure of 47 county [governments] with increased emphasis on public expenditure management and enhanced public participation.'

Figure 77. **Feedback on whether participation matters in government decision-making**
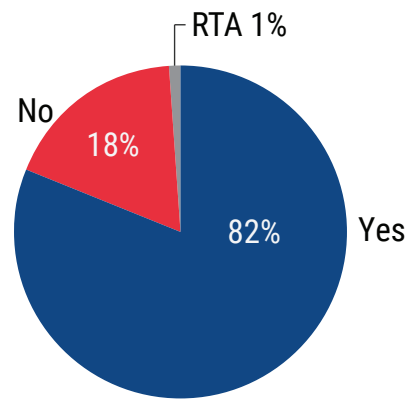
Qn: Do you believe that your participation matters in government decision-making?

Regionally, the largest percentages of respondents who believed that participation mattered in government decision-making were seen in the Rift Valley (89%), Eastern (87%) and Western (85%) regions, as presented in Figure 78.
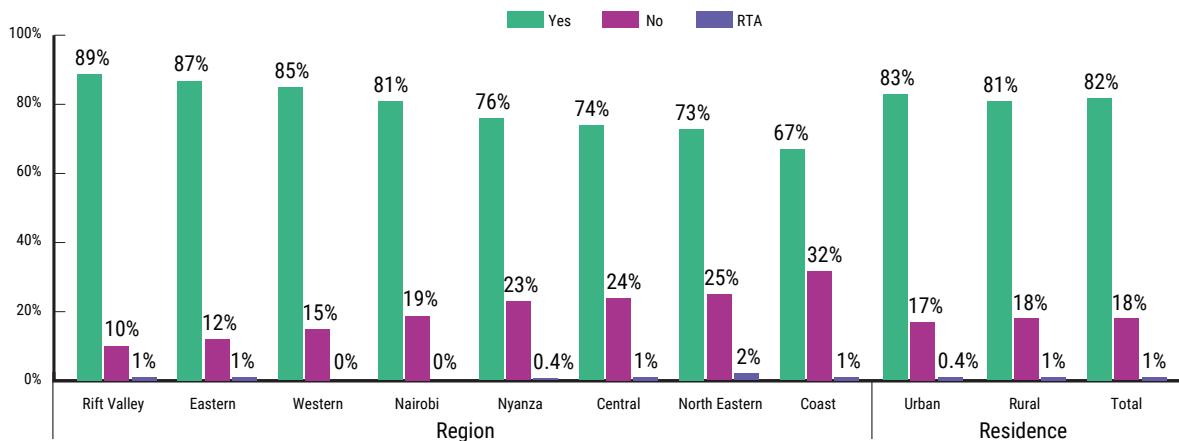
Figure 78. **Feedback on whether participation matters in government decision-making, by region**

Qn: Do you believe that your participation matters in government decision-making?

In terms of gender, slightly more men (84%) than women (80%) believe that participation matters in government decision-making, as presented in Figure 79.

Figure 79. **Feedback on whether participation matters in government decision-making, by gender and age**
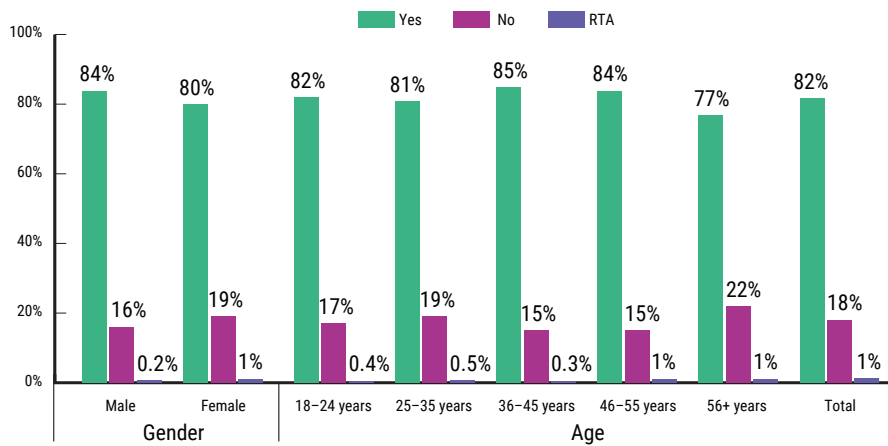
Qn: Do you believe that your participation matters in government decision-making?

More PLWDs (87%) than non-PLWDs (82%) indicated that participation mattered in government decision-making, as presented in Figure 80.

Figure 80. **Feedback on whether participation matters in government decision-making: PLWDs vs non-PLWDs**
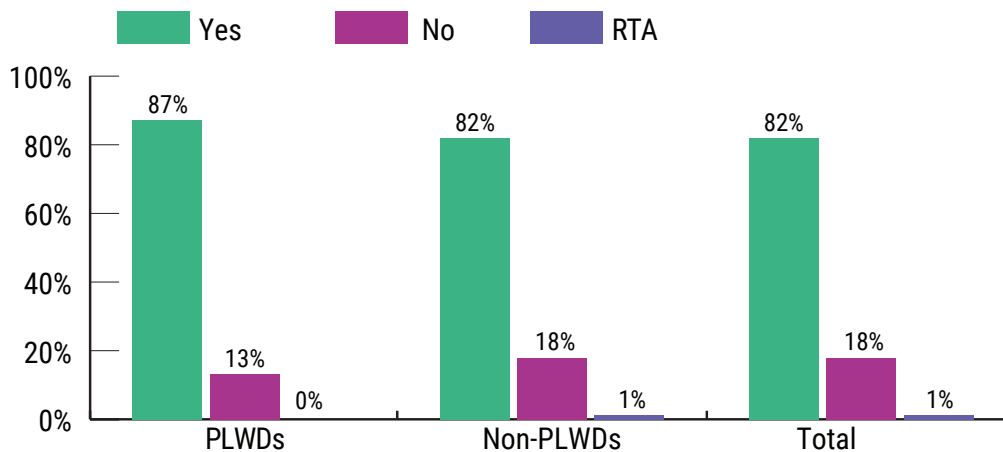
Qn: Do you believe that your participation matters in government decision-making?

Election concerns

Increased political violence (38%), disagreements between the country's major political leaders (18%), increased ethnic tensions (18%), corruption in the national and county governments (10%) and the lack of electoral reforms (8%) were mentioned as the main electoral concerns as the 2022 general election approaches. Figure 81 presents an overview of responses.

Figure 81. **Election concerns**
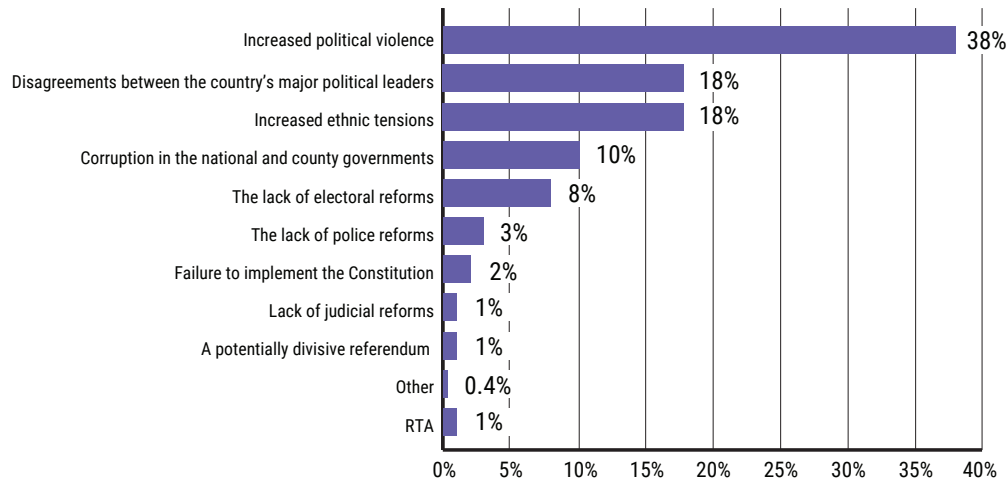
Qn: As we approach the 2022 general election, which of the following concerns you the most?

Quotes from FGD respondents regarding what concerns them the most in relation to the 2022 general elections

'The politicians keep causing chaos wherever they have rallies. There have been [a] few cases of violence. Then they are causing economic instability as they focus on themselves in a bid to get elected in 2022.'

'…If we do away with the thinking that we vote as a tribe.'

Table 65 provides a regional breakdown of the key electoral concerns as highlighted by surveyed respondents in the eight regions of focus.

Table 65. **Election concerns, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Increased political violence	50%	34%	48%	26%	25%	57%	50%	28%	31%	42%	**38%**
Disagreements between the country's major political leaders	9%	23%	9%	31%	19%	15%	12%	31%	23%	15%	**18%**
Increased ethnic tensions	18%	24%	26%	18%	18%	8%	13%	20%	20%	17%	**18%**
Corruption in the national and county governments	8%	11%	5%	16%	14%	6%	5%	9%	11%	9%	**10%**

Table 65. **Election concerns, by region (cont.)**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
The lack of electoral reforms	8%	2%	6%	1%	13%	8%	8%	5%	7%	8%	**8%**
The lack of police reforms	2%	1%	1%	1%	7%	3%	3%	2%	3%	3%	**3%**
Failure to implement the Constitution	2%	2%	2%	4%	2%	3%	1%	2%	2%	2%	**2%**
Lack of judicial reforms	0.3%	–	0.2%	2%	2%	–	2%	1%	1%	1%	**1%**
A potentially divisive referendum	1%	–	1%	–	1%	–	1%	1%	1%	1%	**1%**
Other	–	–	0.5%	–	1%	–	0.3%	1%	0.3%	0.4%	**0.4%**
RTA	1%	3%	2%	–	0.4%	0.3%	3%	–	1%	1%	**1%**

Qn: As we approach the 2022 general election, which of the following concerns you the most?

Participation in the 2022 general election

Of the survey respondents who mentioned that they believed that their participation mattered in government decision-making, a majority (68%) indicated that they would vote no matter what. On the other hand, of those who mentioned that they believed that their participation did not matter in government decision-making, 45% mentioned that they would vote, whereas 34% said they would not vote. Figure 82 highlights the key findings.

Figure 82. **Participation in the 2022 general election**
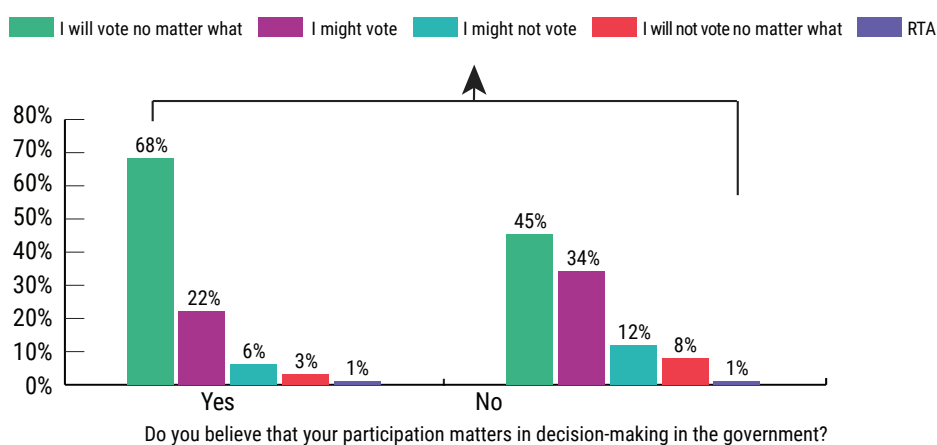
Qn: As we approach the 2022 general election, which of the following concerns you the most?

Quotes from FGD respondents regarding how they plan to participate in the 2022 general elections

'I am undecided, but I might not vote.'   'I can only vote if it's online.'

Overall, 64% of the surveyed respondents indicated that they would vote no matter what, 24% said they might vote, 7% said they might not vote, and 4% said they would not vote no matter what (see Figure 83).

Figure 83. **Participation in the 2022 general election**

Qn: Which of the following statements best describes how you plan to participate in the 2022 general election?

On a regional basis, more survey respondents from the Western (83%), Nyanza (72%) and Rift Valley (70%) regions, compared with other regions, indicated that they would vote no matter what. The Nairobi region (10%) had the highest proportion of survey respondents who said they would not vote no matter what, as presented in Table 66.

Table 66. **Participation in the 2022 general election, by region**

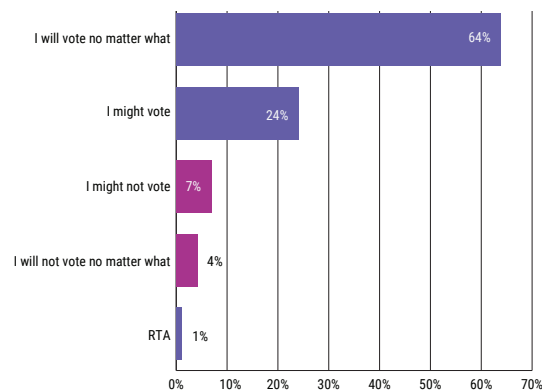|	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
I will vote no matter what	50%	39%	65%	43%	70%	83%	72%	56%	54%	69%	**64%**
I might vote	38%	44%	26%	40%	18%	10%	18%	26%	32%	20%	**24%**
I might not vote	8%	8%	6%	12%	7%	4%	7%	7%	8%	7%	**7%**
I will not vote no matter what	3%	4%	2%	5%	3%	3%	2%	10%	5%	3%	**4%**
RTA	–	5%	1%	1%	2%	–	2%	–	1%	1%	**1%**

Qn: Which of the following statements best describes how you plan to participate in the 2022 general election?

In terms of gender, more men (66%) than women (61%) noted that they would vote no matter what, whereas 2.5 times as many women (5%) as men (2%) indicated that they would not vote no matter what, as presented in Table 67.

Table 67. **Participation in the 2022 general election, by gender and age**

	Male	Female	18–24 years	25–35 years	36–45 years	46–55 years	56+ years	Total
I will vote no matter what	66%	61%	56%	63%	65%	73%	71%	**64%**
I might vote	23%	25%	28%	27%	22%	20%	17%	**24%**
I might not vote	7%	7%	10%	6%	9%	5%	6%	**7%**
I will not vote no matter what	2%	5%	5%	3%	2%	3%	5%	**4%**
RTA	1%	1%	1%	1%	1%	0.4%	1%	**1%**

Qn: Which of the following statements best describes how you plan to participate in the 2022 general election?

Figure 84 presents the findings concerning PLWDs and non-PLWDs, where it was noted that more PLWDs (69%) than non-PLWDS (63%) said they would vote.

Figure 84. **Participation in the 2022 general election: PLWDs vs non-PLWDs**
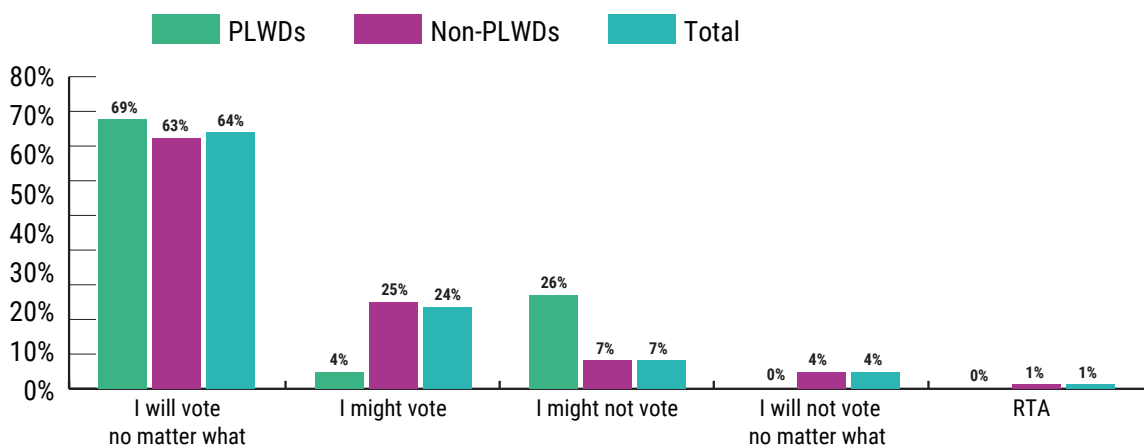
Qn: Which of the following statements best describes how you plan to participate in the 2022 general election?

Reasons for not participating in the 2022 general election

Of the surveyed respondents who indicated that they would not vote, a significant proportion (41%) indicated that the election was bound not to be free and fair. Other key reasons cited were a lack of interest in elections (33%), not being a registered voter (10%) and the fact that some of them would be busy (6%), as shown in Figure 85.

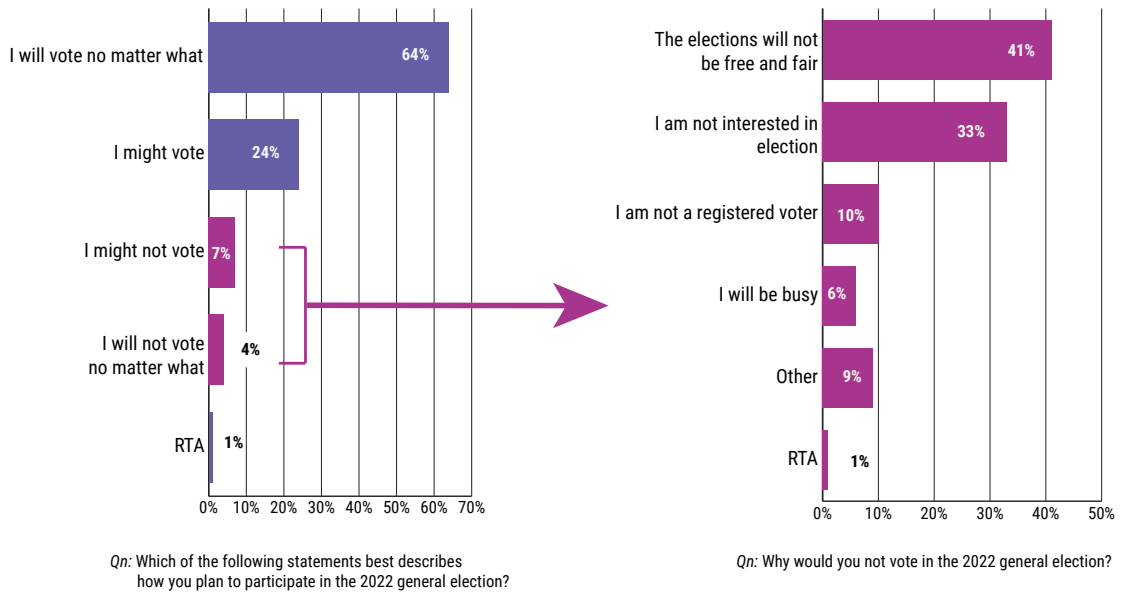Figure 85. **Reasons for not participating in the 2022 general election**

Qn: Which of the following statements best describes
how you plan to participate in the 2022 general election?

Qn: Why would you not vote in the 2022 general election?

Quotes from FGD respondents regarding how they plan to participate in the 2022 general elections

'Last time, we did a re-run, and the results were the same. This time round, I prefer undertaking my daily routine as opposed to voting. I don't care about politics. I care about my life.'

'I used to value voting and actually voted in 2017. I was excited at the prospect of voting and had to travel up-country to exercise my right to vote. Years later I don't think the effort I [made] was justified. Politics is so toxic. Looking at my needs, I would rather go to work than vote. It will not help.'

'For me I don't see [that] my vote can bring [about] change.'

Confidence in the Independent Electoral and Boundaries Commission (IEBC)

As highlighted in Figure 86, the survey established that more than half (52%) of the respondents had confidence in the IEBC. On the other hand, 35% were not confident, whereas 12% were not sure.

Figure 87 provides a regional breakdown.

Figure 86. **Confidence in the IEBC**
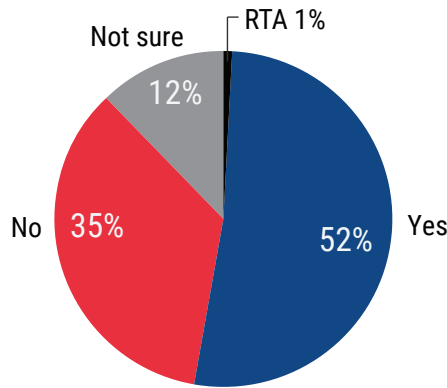
Qn: Do you have confidence and trust in the IEBC to conduct free, fair and credible elections next year?

Quotes from FGD respondents regarding the IEBC and their level of confidence in the institution

'[The] IEBC follows [someone's] instruction, like they are controlled with a remote. Like [Samuel] Kivuitu said, he did not know who won—that is, when the Supreme Court nullified the elections.'

'I feel anything can happen, like system failures. There are too many excuses from them [IEBC]. The officials are also involved in wrangles. Again, with Kenya almost everyone is corrupt; thus, there won't lack a leader who uses corrupt means to get a position.'

'They [IEBC] categorize valid votes as stray/spoilt in an effort to reduce votes for a particular candidate.'

Figure 87. **Confidence in the IEBC, by region**
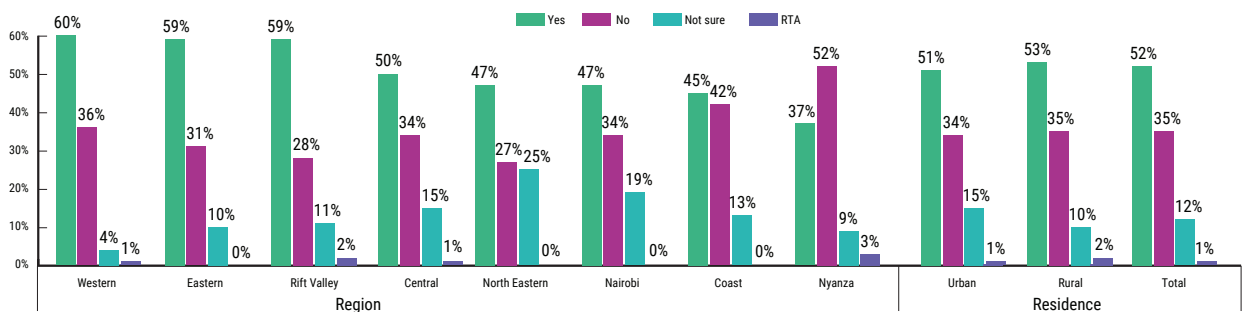
Qn: Do you have confidence and trust in the IEBC to conduct free, fair and credible elections next year?

Equal opportunities for men and women in electoral processes

More than three in every five (63%) of the respondents indicated that there were equal opportunities for men and women in electoral processes. A lack of equal opportunities was mentioned by 33%, whereas 4% were not sure. Figure 88 presents an overview of the findings.

Figure 88. **Equal opportunities for men and women in electoral processes**
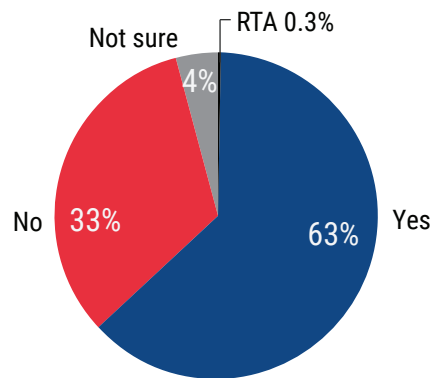
Qn: Would you say women and men have equal opportunities to fully participate in electoral processes as voters and as candidates for the various elective offices?

The findings by region mirror the overall findings, as highlighted in Figure 89.

Figure 89. **Equal opportunities for men and women in electoral processes, by region**
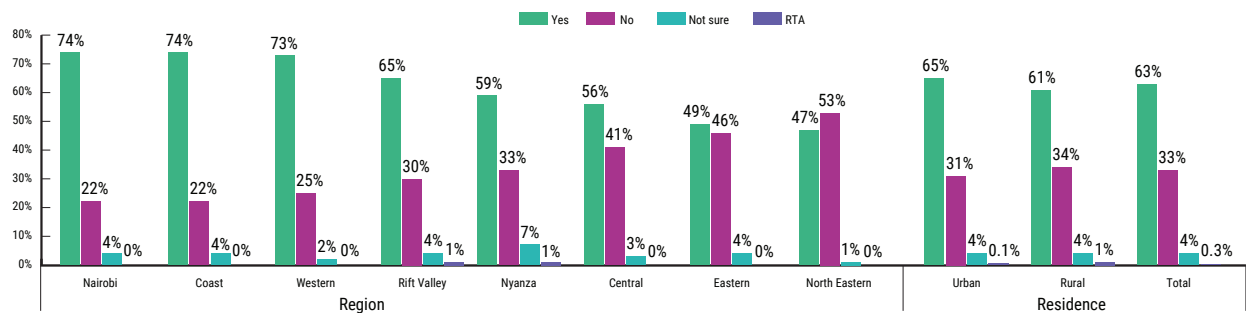
Qn: Would you say women and men have equal opportunities to fully participate in electoral processes as voters and as candidates for the various elective offices?

Nearly the same percentage of men (63%) and women (62%) agreed that there were equal opportunities to fully participate in electoral processes as voters and as candidates for the various elective offices, as shown in Figure 90.

Figure 90. **Equal opportunities for men and women in electoral processes, by gender and age**
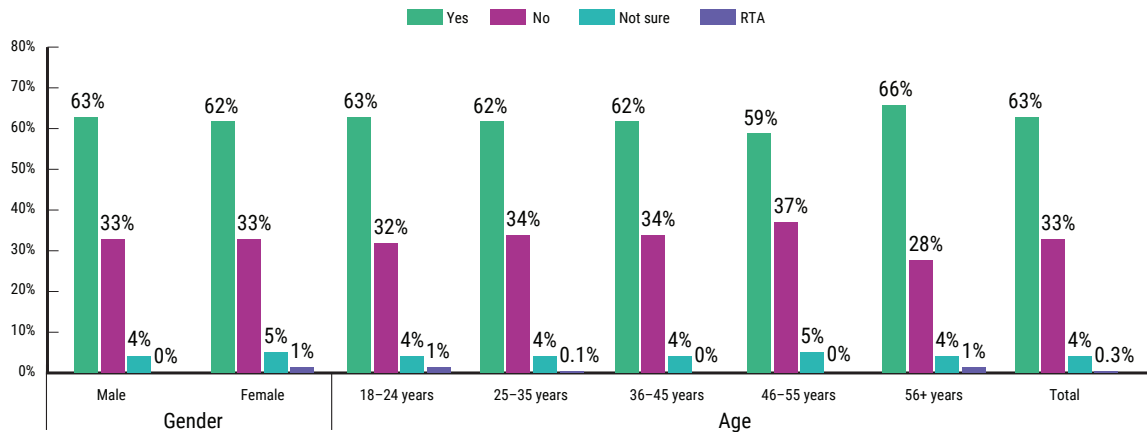
Qn: Would you say women and men have equal opportunities to fully participate in electoral processes as voters and as candidates for the various elective offices?

Independence of the National Assembly and the Senate from the executive

According to the survey, 42% of respondents felt that county assemblies were independent, and a slightly higher proportion (43%) felt that the National Assembly and the Senate were independent. Figure 91 presents the detailed findings.

Figure 91. **Feedback on the independence of the National Assembly and the Senate from the executive**
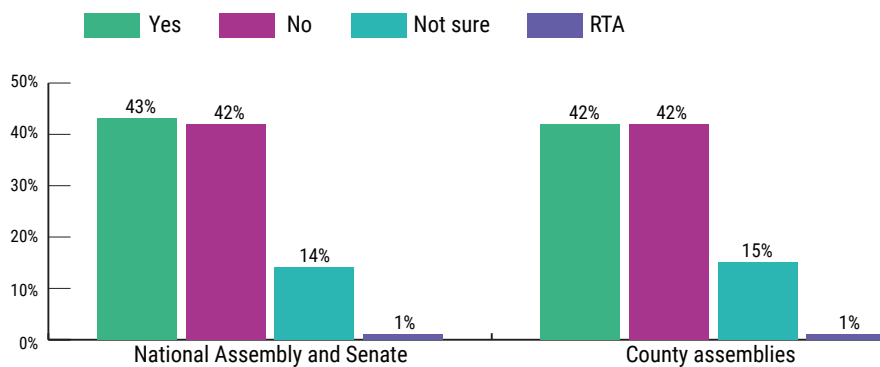
Qn: Do you think the Kenyan Parliament (National Assembly and Senate) is independent from the executive?

Quotes from FGD respondents regarding the independence of the Kenyan parliament from the executive

'No. With the BBI [Building Bridges Initiative] report, MPs were publicly coerced into supporting it.'

'That is like telling me that the baby is independent from the mother.'

'…because before there was the government and the opposition, which was ODM [Orange Democratic Movement], the opposition was helping

to counter check some things in the government, but when they [shake hands] in the government, there is no opposing what has been said by the president: If he says to do like this, it is what [is] to be done.'

'…I think the parliament is not independent; the parliamentarians are being controlled by their party leaders to vote in a particular line.'

Ways of increasing women's representation in parliament and county assemblies

Of the 97% of respondents who indicated that they were aware of ways to increase women's representation in parliament and county assemblies, 32% said that this could be achieved by ensuring compliance with the two-thirds gender rule; 28%, by encouraging women to vie for political leadership; and 15%, by holding public seminars on women's participation in governance.

Figure 92. **Things to do to increase women's representation in parliament and county assemblies**
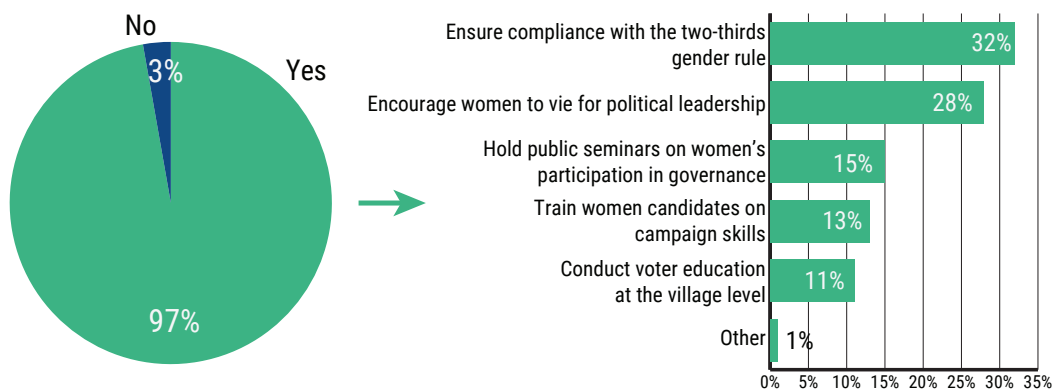
Qn: In your opinion, what can be done to increase women's representation in parliament and county assemblies?

Quotes from FGD respondents regarding what needs to be done to increase the representation of women in parliament and county assemblies

'Applying the two-thirds gender rule and ensuring it is fully adopted.'

'…[It is important for women] to stop being their own enemies.'

'I will say that there should be a clear structure that defines who women are and what they do.'

Table 68 presents detailed regional findings.

Table 68. **Feedback on the independence of the National Assembly and the Senate from the executive, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Urban	Rural	Total
Ensure compliance with the two-thirds gender rule	26%	33%	45%	24%	31%	37%	36%	18%	27%	34%	**32%**
Encourage women to vie for political leadership	29%	28%	20%	39%	23%	36%	28%	40%	31%	27%	**28%**
Hold public seminars on women's participation in governance	17%	8%	14%	18%	16%	9%	12%	20%	17%	14%	**15%**
Train women candidates on campaign skills	20%	14%	11%	10%	15%	8%	16%	11%	13%	13%	**13%**
Conduct voter education at the village level	8%	17%	9%	7%	14%	9%	9%	11%	11%	11%	**11%**
Other	1%	–	1%	2%	1%	1%	–	1%	1%	1%	**1%**

Qn: In your opinion, what can be done to increase women's representation in parliament and county assemblies?

In terms of gender, the findings were more or less similar to the overall findings, as presented in Table 69.

Table 69. **Feedback on the independence of the National Assembly and the Senate from the executive, by gender and age**

	Male	Female	18−24 years	25−35 years	36−45 years	46−55 years	56+ years	Total
Ensure compliance with the two-thirds gender rule	32%	31%	29%	33%	33%	33%	30%	**32%**
Encourage women to vie for political leadership	30%	27%	25%	28%	28%	31%	35%	**28%**
Hold public seminars on women's participation in governance	15%	15%	17%	14%	15%	15%	13%	**15%**
Train women candidates on campaign skills	12%	14%	16%	13%	13%	11%	10%	**13%**
Conduct voter education at the village level	9%	12%	13%	11%	9%	9%	11%	**11%**
Other	1%	1%	0%	1%	2%	1%	1%	**1%**

Qn: In your opinion, what can be done to increase women's representation in parliament and county assemblies?

Adequate representation of vulnerable groups

According to a significant proportion of the surveyed respondents, vulnerable groups, such as youth (47%), persons with disabilities (43%) and ethnic minorities (38%), were adequately represented in parliament and county assemblies. On the other hand, a considerable proportion felt that youth (43%), persons living with disabilities (42%) and ethnic minorities (38%) were not adequately represented (see Figure 93).

Figure 93. **Feedback on adequate representation of vulnerable groups**
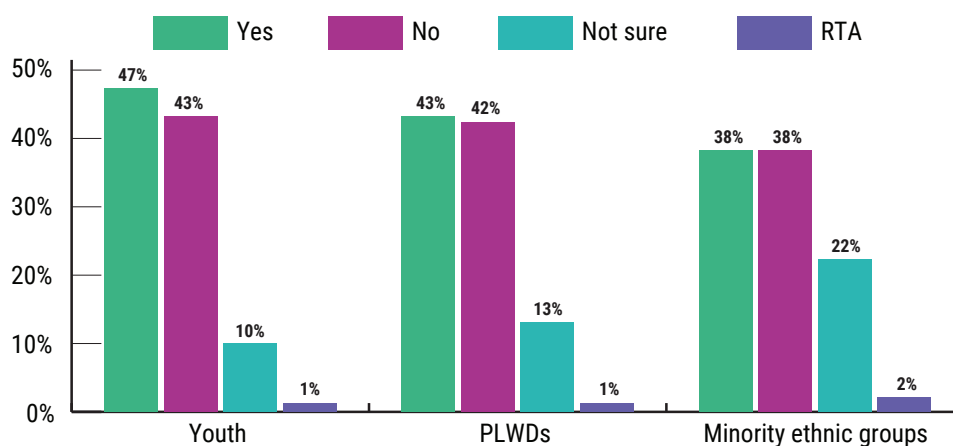
Qn: In your opinion, are the following vulnerable populations adequately represented in parliament and county assemblies?

Figure 94 presents the regional findings.

Figure 94. **Feedback on adequate representation of vulnerable groups, by region**
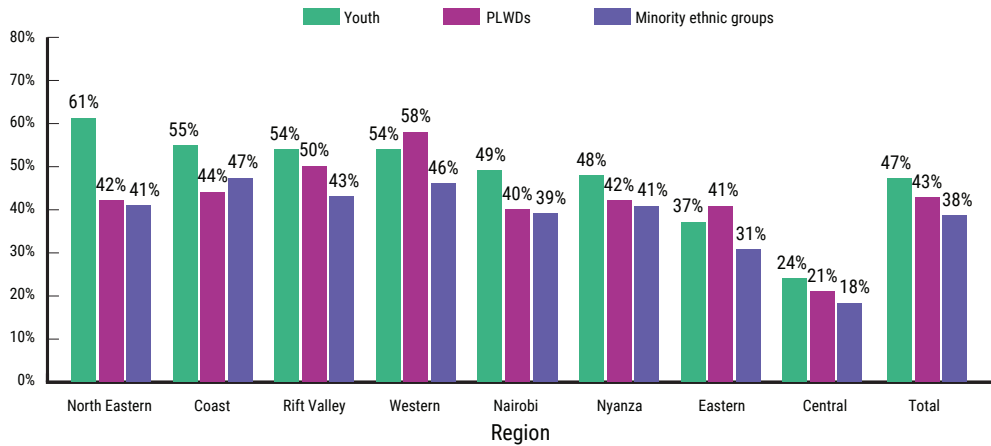
Qn: In your opinion, are the following vulnerable populations adequately represented in parliament and county assemblies?

Figure 95 presents the findings for PLWDs and non-PLWDs, which mirror the overall findings.

Figure 95. **Feedback on adequate representation of vulnerable groups: PLWDs vs non-PLWDs**
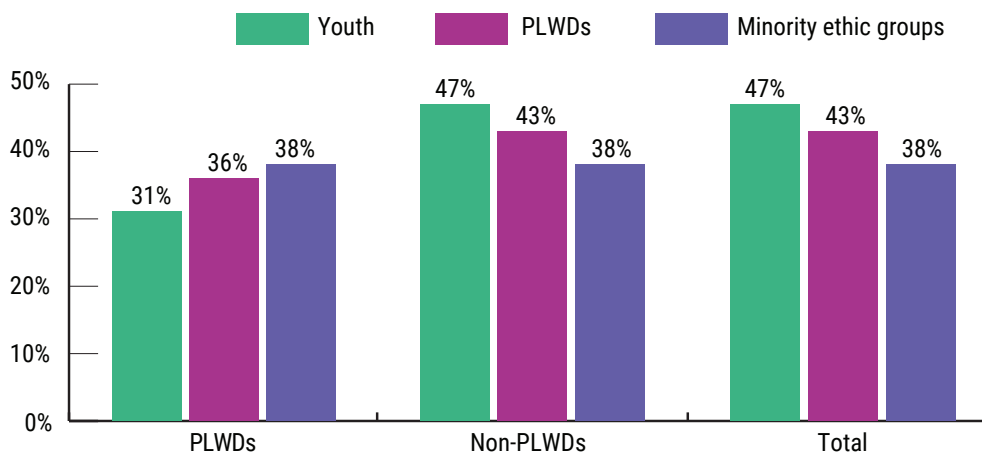
Qn: In your opinion, are the following vulnerable populations adequately represented in parliament and county assemblies?

Performance of county governments

The survey found that a majority of respondents (53%) said that county governments had been effective in improving service delivery to the citizenry, while 40% said that county governments had been ineffective in improving service delivery to the citizenry. Figure 96 provides an overview of the findings on the performance of county governments.

Figure 96. **Feedback on the performance of county governments**
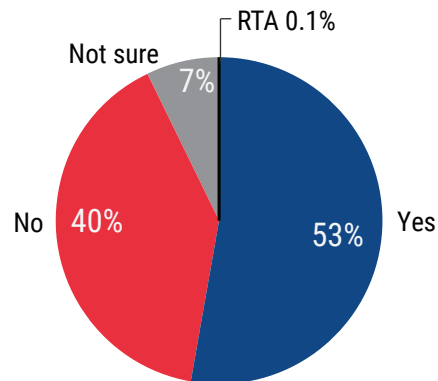
Qn: Would you say county governments have been effective in improving service delivery to the citizenry?

Quotes from FGD respondents regarding effectiveness of county government in improving service delivery to the citizenry

'[A]lso, sometimes I think we don't know the roles of the national government and the county government. So, they should share their responsibilities and outline clearly what they do—for example, when you say that the national government is responsible for health, they should [expand] hospitals. [T]hen, [on] the other [hand,] county government should be dealing with nurses and others.'

Regionally, the largest percentages of residents who indicated that their county government was ineffective were from the North Eastern (63%), Central (49%), Nyanza (46%) and Eastern (45%) regions. Table 70 presents the overall findings.

Transparency of county governments

A significant proportion (47%) of surveyed respondents consider their county government to be a little transparent. On the other hand, 15% consider it extremely transparent, whereas 18% consider it to be not at all transparent, as presented in Figure 97.

Table 70. **Feedback on the performance of county governments, by region**

	Yes	No	Not sure	RTA
Western	62%	33%	5%	–
Rift Valley	61%	33%	6%	–
Coast	59%	33%	8%	–
Nairobi	50%	39%	10%	–
Eastern	46%	45%	9%	0.3%
Central	46%	49%	5%	–
Nyanza	45%	46%	9%	0.3%
North Eastern	37%	63%	–	–
Total	**53%**	**40%**	**7%**	**0.1%**

Qn: Would you say county governments have been effective in improving service delivery to the citizenry?

Figure 97. **Feedback on the transparency of county governments**
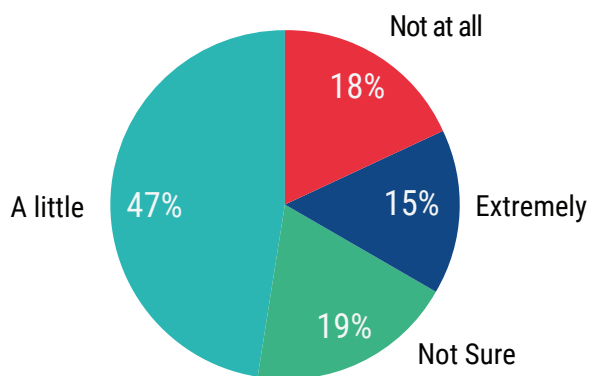
Qn: How open and transparent is your county government with regard to the planning and implementation of activities?

Table 71 presents an overview of perceptions of the transparency of county governments, on a regional basis.

Table 71. **Feedback on the transparency of county governments, by region**

	Extremely	**Not sure**	**A little**	**Not at all**
Western	31%	19%	38%	12%
Nyanza	27%	13%	31%	29%
Coast	22%	25%	40%	13%
Eastern	13%	21%	54%	12%
Rift Valley	12%	23%	51%	14%
Central	7%	16%	55%	23%
North Eastern	6%	23%	57%	15%
Nairobi	3%	11%	52%	35%
Urban	11%	14%	53%	22%
Rural	18%	22%	44%	16%
Total	**15%**	**19%**	**47%**	**18%**

Qn: How open and transparent is your county government with regard to the planning and implementation of activities?

Statements on county governments

More than half of the surveyed respondents (52%) disagreed that the county government services in their respective counties were reliable and accessible to all those who needed them, whereas 42% considered them accessible and reliable. On the other hand, 56% of the respondents said that the number of women and men working for their county government was not balanced, while 34% indicated that the number was balanced, as shown in Figure 98.

Figure 98. **Statements on county governments**
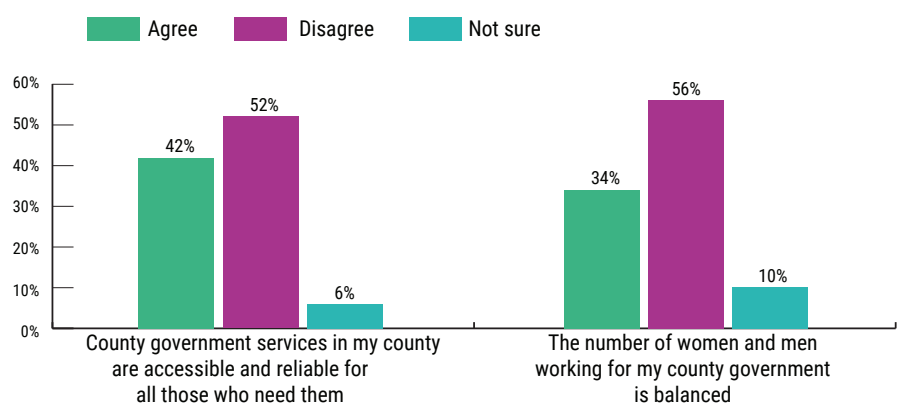
Qn: I will now read out some statements. Please indicate if you agree or disagree with them.

County government efforts to empower vulnerable groups

More than half of respondents agreed that there were existing county government efforts to empower women (60%), the elderly (60%), youth (57%) and persons living with disabilities (51%). Further, only around one-third of respondents disagreed that there were existing county government efforts to empower women (32%), the elderly (31%), youth (34%) and persons living with disabilities (35%), as presented in Figure 99.

Figure 99. **Existence of county government efforts to empower vulnerable groups**
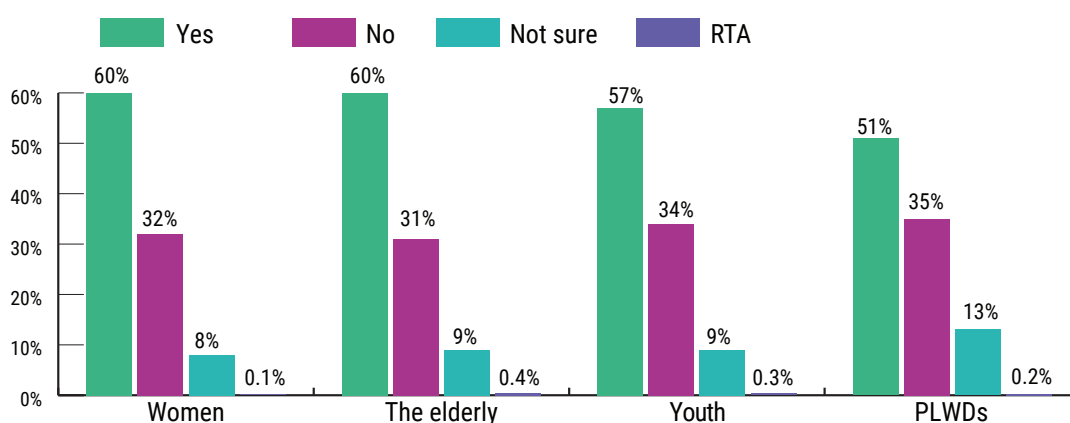
Qn: Are you aware of any efforts by your county government to empower the following vulnerable groups?

Table 72 presents the overall findings concerning county government efforts to empower vulnerable groups.

Table 72. **Existence of county government efforts to empower vulnerable groups, by region**

	Women	The elderly	Youth	Persons living with disabilities
Western	76%	64%	57%	61%
Rift Valley	68%	74%	66%	61%
Coast	65%	57%	70%	56%
Nairobi	59%	50%	63%	44%
Eastern	57%	54%	47%	48%
Nyanza	53%	61%	53%	50%
Central	40%	46%	40%	34%
North Eastern	37%	39%	56%	34%
Total	**60%**	**60%**	**57%**	**51%**

Qn: Are you aware of any efforts by your county government to empower the following vulnerable groups?

Strengthening county governments

Almost all (97%) of the respondents acknowledged that they were aware of efforts to strengthen county governments. The top three efforts mentioned included allocating more funds to county governments (26%), allowing public participation in decision-making at the county level (22%) and prosecuting corrupt officials within county governments (21%), as presented in Figure 100.

Figure 100. **Feedback on efforts to strengthen county governments**

Qn: What in your view should be done to strengthen county governments in Kenya?
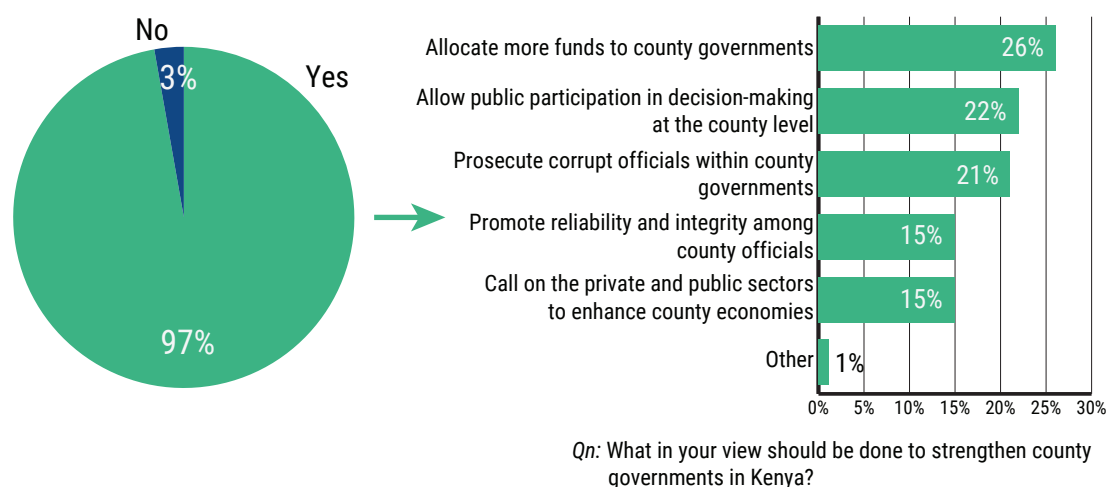
Table 73 presents an overview of regional perceptions of efforts to strengthen county governments.

Table 73. **Feedback on efforts to strengthen county governments, by region**

	Coast	North Eastern	Eastern	Central	Rift Valley	Western	Nyanza	Nairobi	Total
Allocate more funds to county governments	23%	20%	26%	21%	30%	34%	20%	28%	**26%**
Allow public participation in decision-making at the county level	23%	27%	17%	26%	19%	24%	23%	27%	**22%**
Prosecute corrupt officials within county governments	24%	23%	19%	26%	20%	13%	25%	17%	**21%**
Promote reliability and integrity among county officials	13%	17%	19%	18%	14%	12%	13%	16%	**15%**
Call on the private and public sectors to enhance county economies	16%	13%	17%	8%	16%	17%	18%	11%	**15%**
Other	1%	–	0%	2%	1%	1%	–	1%	**1%**

Qn: What in your view should be done to strengthen county governments in Kenya?

Media

According to the majority of respondents, the media in Kenya are independent, impartial and free of any political control (56%), and they report fairly and professionally on political and social matters (57%). Figure 101 presents the findings.

Figure 101. **Feedback on the media**
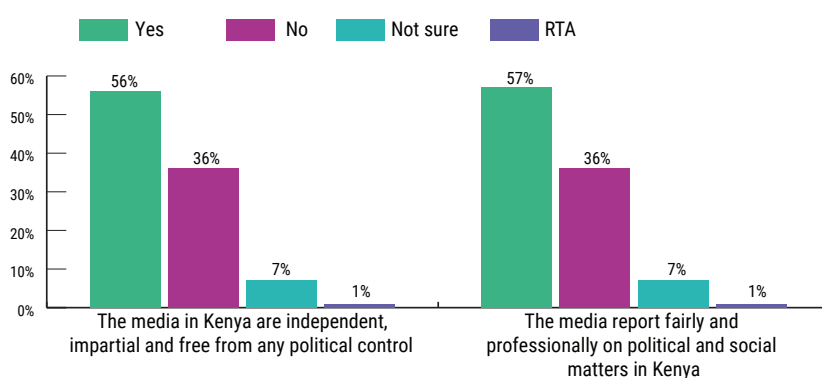
Qn: Kindly indicate the extent to which you agree with following statements on the media in Kenya.

Table 74 presents the findings on a regional basis. Notably, the Western, Coast and Rift Valley regions rated the media in Kenya highly.

Table 74. **Feedback on the media, by region**

	The media in Kenya are independent, impartial and free of any political control	The media report fairly and professionally on political and social matters in Kenya
Western	74%	78%
Coast	69%	66%
Rift Valley	66%	66%
Nairobi	64%	68%
Nyanza	54%	50%
Eastern	46%	45%
North Eastern	30%	29%
Central	28%	29%
Total	**56%**	**57%**

Qn: Kindly indicate the extent to which you agree with following statements on the media in Kenya.

Chapter 4
EXPERT OPINIONS

There is a deliberate action by the government and key state organs to treat everyone equally regardless of their social class. The survey findings indicate that there are efforts (by the government and key state organs) to accord women more opportunities in varied political spheres, such as county governments, unlike under the previous constitutional dispensation, where women lacked political and economic opportunities. Young people are also taken into consideration through employment opportunities in the national and county governments. Special programmes have been rolled out to assist the elderly to cope with hard economic times. Furthermore, the elderly are given cash stipends, food rations and medical relief to cushion them against economic shocks.

The statements and claims that follow in the rest of this section are attributable to key informants who were interviewed for the purposes of this report.

'[W]hile narrowing myself to Makueni county as a case study, yes, equally we are much concerned about equity as a county. We are very much concerned with the people living with disability; we are very concerned about [young people] and any other person marginalized [by] any other definition…'

'We have been able now to translate that to the benefit of the citizen, and you realize that the citizen is able to come to us and say there is this, and this we need better service. They are even able to report that [a certain] officer has harassed them…'

'Yes, for women, unlike before, right now the number of women being harassed [in] the workplace has tremendously gone down. Even now in Nyeri the women staff are more; they are 53%, whereas the men are 47%. So, equity is there…'

'Why I brought in the programme of internship is mainly for [young people]: those who have left college [over] the last three years and who are below 28 years [old]. Every year we are able to engage 200 [young people] [in] the system through our internship programme, and we have quite a

> number that have been employed [over] the last three years. We have had 300 staff less than 30 years [old] being employed by the county government…'
>
> 'When I was a chief officer, I started a programme known as Bima Afya. Bima Afya is where the county would pay for
>
> [an] NHIF [National Health Insurance Fund] card for [the] elderly, who are vulnerable, to take care of their health and avoid unnecessary [fundraising]. There are few services for them, like once in a while there are food rations given to them…just to cushion them during hard times…'

There have been isolated religious conflicts especially against the Muslim fraternity, more so in the Christian-dominated counties. Some people believe that the Muslim religion is associated with terrorism. There are also divisions in the Christian fraternity, especially between different denominations. Highlighted below are some of the sentiments of the key informants:

> 'There is a bit of…religious intolerance, where people imagine if one is a Muslim, he could be a terrorist. Our people tend to be a bit cautious with [Muslims]…'
>
> 'When we come to the Christians, there is no unity, where somebody would say, [I] am a Catholic, [I] am… Pentecost. There is a lot of intolerance. There are still aspects of religious intolerance…'
>
> 'I think there is quite an amount of freedom because, when you look at the religious aspect alone, you know there is freedom of worship. Nobody is harassed for practising their preferred religion…'
>
> 'If I am opening a new business elsewhere, there could be some form of informal discrimination of some kind before people later on come to understand that I am not taking away anything from them, but that I am just a mere economic unit who is trying to earn something as they offer something, and there is a small challenge there, but in the urban areas there is minimal challenge.'
>
> '[F]or example, if you came to Makueni, you find even Somalis there; Indians have started coming; they run some of the best and [most] successful hardware and shops with the best prices possible…'

Not all citizens enjoy their fundamental rights and freedoms as enshrined in the Constitution. Some of the greatest barriers to the enjoyment of human rights include politics and regionalism, predominantly skewed towards the background that someone comes from. Further, there is a lack of economic empowerment and culture. Cumulatively, these factors play a role in limiting the enjoyment of human rights. The fact that the Constitution is not implemented is also another significant barrier to the enjoyment of human rights in Kenya. Some key informants made the following observations:

'The legislature will want to see what is good for them. The policy is here, but a few will be very selfish in that [they will want to know] what is in it for [them] when it comes to implementation. A case like the UHC [Universal Health Care], a wonderful programme, but some people will sit down and say [that] it [should] not be funded…'

'I think one of them could be something to do with politics, and regionalism based on who we are: you are who you are. I think this is one of the biggest challenges. The other one could be something to do with …economic empowerment…'

The human right that is most frequently violated in Kenya today is the freedom of association; violations occur on the basis of politics and economic empowerment differentials, as well as some elements of education. One of the key informants had the following to say:

'It's the freedom of association on the basis of politics; the other could be economic empowerment differentials,

and they go further, touching on education. I think these are the most violated rights…'

According to some key informants, the greatest perpetrators of human rights violations are the police and political leaders.

'At some point someone said choices have consequences. We are too quick to elect leaders once they give us fifty or [one] hundred shillings. …We don't elect leaders based on good ideologies…'

'Outright, it's the politicians. I think these are the greatest perpetrators because even the economic differentials can also be linked to political dynamics as it were…'

Human rights violations can be dealt with by ensuring a unified citizenry. Another way to handle human rights violations, according to the key informants, is to deal with the judicial system. The following is what two of them had to say:

'I think the only way to correct that is to unite as Kenyans and exercise equity, because all of us are taxpayers, and then we grow as one nation—by that we would be a great nation…'

'I can put the blame first on our judicial system. Many cases are pending; others [take] twenty or thirty years; yet, it is… simple, basic common sense. There is a problem with our judicial system…'

At the grassroots level, the family and the church need to be strengthened. At the county level, the county assemblies should be strengthened so as to boost public participation and increase accountability for the use of public funds. More funding needs to be deployed to civic education at the national and the county level so as to increase oversight when projects are being implemented.

> '[W]e have public participation bills in some counties that need to be enacted and funded so that there can be a lot of civic education, and even at the national level, the National Assembly has a role to play…'

The establishment of county governments has led to increased access to various services such as water, health care and education. Kenyans can adequately enjoy all economic and social rights based on existing government principles and better accountability structures. This is bound to enhance resource planning in a bid to eliminate hunger and poverty, which have been a persistent menace in Kenya. Two key informants said the following:

> '[I]t is a question of who you are and where are you regionally in terms of political power and authority so that you will find, for example, water provision, hospitals and schools… were not equitably distributed, and to me that was a model which was going to continue to cause skewed development…'
>
> '[S]ometimes this year there was so much heavy [rain], and all that water was washed down. Couldn't the government have built…reservoirs like in Israel? Here the rains are just setting in, and a lot of water will just run down to the ocean. If we could build serious irrigation projects, we [wouldn't] be talking of hunger. Two, one of the big four [agendas] was food security. How much of the food is going to waste [because of] bad harvesting habits [and] bad storage habits? It is not because we can't do it, but the public is lacking empowerment…'

The government, through its department of labour and social services, has been giving stipends to orphans, vulnerable children and the elderly to cushion them during hard economic times. Having a kitty for PLWDs will help them have uninterrupted access to education. This will go a long way in helping marginalized communities.

> 'The government, through the department of labour and social services, has [a] stipend that is offered to…orphans and…vulnerable children; we also have [a] stipend for…elderly persons. I can say…that the government is trying. They need to look into more sustainable programmes…'
>
> 'I think the best way to do it is to talk to them and give them a share of what they deserve from the central kitty, because if someone is, for example, a [PLWD] and…they don't have the appropriate facilities for higher education, then definitely they will drop out…'

Kenya's legal system to some extent favours the political elite and the wealthy. If they are charged with a crime, most of the political elite and the wealthy are able to pay their bonds and are released, whereas poor offenders find it difficult to foot such a bill. Interviewed key informants noted that the wealthy are well connected politically, so they have an undue advantage. Corruption was also cited as a stumbling block in access to justice. Highlighted below are some of the sentiments of the key informants:

'I think it is not doing very well because that is why we are constantly having the issue of the big fish and the small fish. As long as you know who is who, you can save your neck. You can be able to pay the bond and get your way out of it; if you are well connected, you get out of it, and you realise cases going to court are not being finalized…'

'…because corruption is the main cause and affects the rule of law; you can see it but sometimes feel it. You can feel it…sometimes when you have some administrative issues to be handled, and it is not very well handled…'

Surveyed informants believe that the judiciary is not independent when rendering justice since it is affected by external interference. Corruption was cited as an impediment in accessing justice and the rule of law.

'Take, for example, the case of Hassan Wario. He was fined a paltry 2 million

shillings and within two hours, the family had paid…'

Interviewed key informants noted that most citizens do not trust the election system because of the large number of electoral malpractices that occur during elections. There is a lack of transparency during the counting and tabulation of the votes, leading to mistrust. There are a lot of malpractices that are evident whenever elections take place, rendering such elections not free and fair. Further, Kenya's electoral system needs further reforms in order to address the predominant malpractices at the IEBC. Generally, the nation has moved from where it was before in terms of democracy, but there is still some work to be done, especially when it comes to the electioneering period. More civic education needs to be carried out to raise awareness among the population of the need to exercise their democratic rights.

'Remember the case of a commissioner who quickly resigned and [ran] away, and she cited the fear and intimidation that is everywhere. The reform that is needed has to be a real reform; otherwise, with whatever we have even it is hopeless…'

'One thing we have in this country is that, much as there are some evils here and there or bottlenecks, our democracy

has also moved to a good level, because…our politicians…never [get] into a fight. We have seen other countries where the country has been torn into war because of the electioneering process and lack of democracy…'

'We [The citizenry] need to look at the IEBC. Right now, there was voter registration, and it was so sad because it was characterized by voter apathy…'

The parliament is mostly manipulated and swayed by the executive, depending on the interests they are pursuing at a particular moment. There needs to be a separation of powers in order to make the different arms of government more efficient. This will go a long way towards boosting the objectivity of the arms of the government.

'Not quite [in reference to the independence of parliament]. Constantly, there is a lot of interference, where things have to go the way the executive want even when there are glaring mistakes. …Take, for example, the issue with the BBI [Building Bridges Initiative], where some felt it should not be but had to vote for it to safeguard their political interests. These county assemblies passed that document…'

'…It is not a matter of friendship; it is a matter of objectivity. Two, the judiciary is constantly complaining [about] inadequate funding. Parliament will hardly complain of that; the executive will hardly complain of that. The judiciary feels its powers have been stripped by denying them funding…'

The number of women in leadership positions can be boosted by increasing the proportions of women who get nominations at the party level. This can be achieved by making it compulsory for parties to nominate a specific percentage of women during party primaries. On the other hand, women can also work hard to get elected.

'I am not an advocate of people being given things for free. Can women also get out and go and fight for these positions? Let the women go right to the public and convince them. Women can be good leaders, but they don't believe in themselves. Let them believe in themselves…'

'I think we could have used the political parties to boost the equation [in reference to number of women in leadership]. What worries everyone in Kenya is when we will achieve [the] two-third gender rule…'

According to the current Constitution, vulnerable populations such as young people, PLWDs and minority tribes are equally represented, and their concerns are well taken care of. However, these populations should also take their own initiative to look for more opportunities.

'[T]he public should also be engaged in who they think should be nominated, not a few people in Nairobi sitting and saying it is this and this who did not even go out to the field. [Young people] shouldn't go into hideouts. They should

go the field. People with disabilities have equal rights. Disability is not inability; they should also be able to go and prove themselves so that we don't have people who are just nominated because you are enabled differently…'

The idea of public participation is good, though it has not been fully implemented since only a few people attend public forums. The leaders hold these forums in order to push a particular interest. In other counties, such as Makueni county, citizens are constantly engaged during the budget-making and approval process.

'[T]he way it is structured—it is just done with a few people in mind. Take, for example, when we are doing…public participation on budgets; the MCAs will bring on board their people, who will sell the agenda because they want this project to pass…'

'When the budget has been approved, it is taken back to them to see what was approved to ensure that whatever was given as a priority has been treated as such because of the budget constraints. You know they give a list of ten items; when you do the costing, you find that only six items can be accommodated. They are concerned about the priority because it is still them who set the priority with guidance from the technical bench…'

Most of the political parties do not consult all their members when making decisions. Instead, the main decisions are made at the top, and the team members are informed of the party's position. Candidates are also selected in a biased manner, depending on how close they are to the party's top leadership. There have been isolated incidents of political nominations being bought.

'[T]hey can get an unpopular candidate and get away with it. If they make that mistake, they will have dug their own grave, because what will happen is that the independent voter will come and exercise their rights. People have been buying tickets; it's no secret. We hear these political parties complaining [among] themselves that so and so won the primaries, and the ticket was given to someone else…'

'It is about who will bring more. If you bring in more, there is something you can do for us. It's about your pocket, and how many votes you bring forth…'

Devolution has greatly improved service delivery across the counties. When you look at education, more schools have been established, and more hospitals have been built to offer health-care services. More jobs have been created at the county level, especially for young people, who are the majority of the population. Roads have been built, and the infrastructure across all the counties has significantly improved, facilitating the movement of goods and services.

'Obviously, devolution has brought services closer to the citizens; roads were not being made. Roads have really been made. Accessibility to many areas has improved. Two, on education, look at the ECD [Early Childhood Development]. Before, they were in [an] intolerable state; today, most of the counties are in a better place …'

'[T]he road network has improved significantly; places that never used to have roads since independence— you will [build] a road, and people will celebrate and say that…since the earth was created, there [had] never been a road here, but now [there] is [one] here…'

The ratio of men to women is fairly equal, especially in high positions. Also, in areas with lower ratios, efforts have been made to create a balance. Women are also becoming more empowered to get the same employment opportunities that men have.

'To begin with, our cabinet is balanced. We have four women out of ten. It is a very good trial according to me. Remember, the deputy governor is a woman and the chief officer. The deputy governor has been very keen to make sure that women are given opportunities…'

'[I]n Nyeri we have 53 per cent women [and] 47 per cent [men]. In other counties—in [the] Mount Kenya region, [there are more] men…than…women. There is also a trend—I want you to note in as much as in Nyeri 53 per cent are women, …men [are] in high positions. The women are in those lower cadres…'

In the past, the church was the voice of reason when it came to advising the government, but of late we have seen that the church has taken a back seat, since politicians are influencing them to sell a particular agenda. Key informants noted that religious leaders still speak out against social ills such as corruption.

'To some extent, yes. Initially, the church used to be the voice of reason, and it played a big role [in] matters [of] governance. The times of the late Bishop David Gitari, [Raphael] Ndingi Mwana wa Nzeki—those ones and the church would hold the government accountable. It had a big role to play on matters [of] governance. It is a little unfortunate that nowadays it's like the church has gone to bed with the government…'

'The church or the religious institutions have some significant influence on the government because you can even see during the clamour for the new constitution; it was the religious formation which remained strong to fight until we got the new constitution. The church has a big influence when they stand firm and stand for justice, they stand for the truth…'

According to some of the key informants, the media fraternity is sometimes compromised by politicians. The wealthy and the political elite are able to sell their agendas to the media for publication. Further, some key informants were of the view that the Kenyan media focus on politics to the detriment of the main issues affecting the nation. This is what they said:

'Not really [in reference to the media independence]. What we call…[brown-envelope] journalism…is what is affecting the efficiency of the media, where you only need to give them an envelope [in reference to a bribe], and [they] will cover for you the news depending with what you want. Today, they will not cover…anything for you in Nyeri if you [don't pay]…'

'[T]he media [have] done [their] job, and [they have] given enough space, and let them continue using the space; let them speak and tell us…so long as they are telling us the truth, because the only thing which is not right is when they don't tell the truth. Once they tell the truth, let them be sure that the public is with them…'

Civic education is one of the ways to strengthen and empower Kenyans at all levels. There is also a need to strengthen the media fraternity at all levels.

'My view is that there needs to be civic education. Let them [citizens] be told of their responsibility…'

'[W]ith the infiltration of…bloggers coming on board, it's not all about money; perhaps the … journalism [curriculum] needs to be reviewed

so that [journalists]…know what they should report and what they should not report. We also need to streamline on these matters of bloggers, where somebody would wake up and tarnish another with all manner of lies. The media [need] to up their game…'

Chapter 5
RECOMMENDATIONS

- It is critical to enhance civic education to create awareness of the provisions of the Constitution and other laws and awareness of citizens' various civil, political, economic and social rights and responsibilities. This can be achieved through consistent dissemination of information in schools, in public forums and at the community level.
- The members of the public should be made aware of their civic duties and of the need to participate in government decision-making processes through available forums.
- To enhance equality, the government needs to resolve the core underlying issues—for instance, by providing capacity-building and offering support to women, youth and PLWDs through training and other initiatives meant to ensure sustainable employment and income generation for these marginalized groups.
- The government needs to encourage community-driven initiatives such as dialogue, especially between warring communities/groups as a pathway to addressing ethnic and religious conflicts and violence.
- Adoption of a multi-stakeholder approach in the fight against corruption and impunity, especially within government bodies, is critical in a bid to uphold the rule of law and protect human rights and freedoms. Corrupt public officials need to be held accountable and prosecuted expeditiously.
- It is paramount to enhance public participation in national and county government decision-making processes. This can be actualized through regular public forums while ensuring equal representation of different groups.
- In order to improve confidence in the IEBC, there is a need to strengthen this critical institution, as well as to provide civic education on its mandate in order to improve and positively change the public perception.
- There is a need to strengthen and implement existing laws, especially the two-thirds gender rule, to increase women's representation in decision-making bodies.
- Devolution should be strengthened through continued capacity-building for county governments and the allocation of more resources.

ANNEX

RESPONDENT DEMOGRAPHICS FINDINGS

Figure 102. **Demographics**

Gender

Female 53%   47% Male

Age

18–24 years	25%
25–35 years	32%
36–45 years	19%
46–55 years	11%
56+ years	13%

0% 5% 10% 15% 20% 25% 30% 35%

Marital status

Single	35%
Married	57%
Cohabiting	2%
Divorced/Separated	2%
Widowed	4%

0% 10% 20% 30% 40% 50% 60%

Employment status

Employed	52%
Unemployed	36%
Economically inactive (retired, students)	10%
Refused to answer	3%

0% 10% 20% 30% 40% 50% 60%

Figure 102. **Demographics (cont.)**

Residence

Urban 38%
Rural 62%

Disability condition

PLWD 1%
99%
Non-PLWD

Religion

Christian	90%
Muslim	9%
Hindu	0.1%
None	1%
Other	0.1%

0% 20% 40% 60% 80% 100%

Education level

No formal education	7%
Primary	13%
Secondary	39%
Tertiary	41%
Other	0.1%

0% 10% 20% 30% 40% 50%

Gross monthly income of household

Under KES 1,000	13%
KES 1,001–5,000	17%
KES 5,001–10,000	19%
KES 10,001–20,000	21%
KES 20,001–40,000	16%
KES 40,001–70,000	7%
KES 70,001–100,000	2%
KES 100,001–150,000	1%
KES 150,001–250,000	0.2%
RTA	5%

0% 5% 10% 15% 20% 25%

OTHER FINDINGS

Table 75. **Awareness of the arms of government at the national level, by region**

		Executive	Legislature/Parliament	Judiciary
Region	North Eastern	99%	97%	88%
	Nairobi	97%	85%	84%
	Eastern	97%	94%	83%
	Rift Valley	94%	93%	80%
	Nyanza	93%	80%	74%
	Central	90%	88%	93%
	Western	88%	88%	71%
	Coast	87%	82%	71%
Residence	Urban	96%	88%	84%
	Rural	91%	89%	78%
	Total	**93%**	**89%**	**80%**

Qn: Are you aware of the arms of government at the national level?

Table 76. **Equal rights for women and men, by gender and age**

		Yes	No	Not sure	RTA
Gender	Male	55%	41%	4%	0.2%
	Female	53%	40%	7%	0.3%
Age	18–24 years	53%	41%	6%	0.3%
	25–35 years	56%	39%	5%	0.3%
	36–45 years	53%	40%	7%	–
	46–55 years	52%	43%	4%	1%
	56+ years	53%	42%	5%	–
	Total	**54%**	**40%**	**5%**	**0.2%**

Qn: As per the 2010 Constitution of Kenya, women and men have the right to equal treatment, including the right to equal opportunities in the political, economic, cultural and social spheres. In your opinion, is this the case in practice?

Table 77. **Rights that are guaranteed in the 2010 Constitution of Kenya, by gender and age**

	Male	Female	18−24 years	25−35 years	36−45 years	46−55 years	56+ years	Total
Right to citizenship (either by birth, registration or dual citizenship)	49%	51%	50%	50%	48%	52%	51%	**50%**
Freedom of expression	47%	47%	47%	47%	48%	50%	44%	**47%**
Freedom of movement	34%	35%	36%	38%	35%	31%	27%	**35%**
Right to life	32%	29%	32%	30%	31%	27%	32%	**31%**
Right to a fair trial	31%	27%	27%	27%	32%	34%	28%	**29%**
Freedom of association	19%	20%	20%	22%	20%	18%	12%	**19%**
Freedom of assembly	8%	7%	9%	6%	9%	7%	7%	**8%**
Right to a free conscience, religion, thought, belief and opinion	7%	8%	8%	6%	7%	7%	10%	**7%**
Right to health care	6%	6%	4%	6%	7%	6%	11%	**6%**
Right to own property	7%	6%	6%	6%	6%	6%	7%	**6%**
Protection from illegal detention	6%	6%	6%	5%	5%	5%	7%	**6%**
Right to clean and safe water	5%	4%	3%	6%	4%	3%	7%	**4%**
Right to privacy	4%	4%	4%	5%	4%	4%	3%	**4%**
Right to free, fair and regular elections	4%	4%	4%	3%	5%	3%	4%	**4%**
Right to dignity	3%	3%	3%	3%	3%	4%	3%	**3%**
Right to participate in political activities	3%	3%	3%	2%	2%	5%	2%	**3%**
Right to access to information	1%	3%	2%	2%	2%	5%	1%	**2%**
Right to adequate housing	1%	2%	1%	2%	2%	2%	2%	**2%**
Freedom from hunger	2%	1%	1%	2%	2%	0.3%	4%	**2%**
Right to be informed of arrest and the right to remain silent and be presented before a court within 24 hours after arrest	1%	2%	1%	2%	1%	2%	1%	**1%**
Right to fair labour practices	2%	1%	0.4%	1%	2%	2%	2%	**1%**
Right to dignified treatment while in police custody	1%	1%	1%	1%	1%	1%	−	**1%**
Other	1%	0.5%	0.4%	1%	0.4%	1%	1%	**1%**

Qn: Please name any three rights that are guaranteed in the Constitution of Kenya 2010.

Table 78. **Responsibilities that citizens have as outlined in the Constitution of Kenya, by education level**

	No formal education	Primary	Secondary	Tertiary	Total
Obey and abide by the law	32%	31%	31%	33%	**32%**
Pay taxes	26%	26%	28%	27%	**27%**
Respect, uphold and defend the Constitution	24%	24%	23%	23%	**23%**
Respect other people's rights	18%	17%	17%	17%	**17%**
Other	1%	2%	1%	1%	**1%**

Qn: Name any three responsibilities that citizens have in the Constitution of Kenya.

Table 79. **Ways in which you as a Kenyan can participate in the handling of affairs, management or governance of your country, by education level**

	No formal education	Primary	Secondary	Tertiary	Total
Voting	39%	47%	41%	39%	**41%**
Obeying the law	28%	20%	25%	25%	**24%**
Paying taxes	11%	12%	12%	13%	**12%**
Giving views during legislation and budget preparation	8%	9%	12%	12%	**11%**
Running for elected office	13%	10%	9%	11%	**10%**
Other	0.4%	1%	0.5%	0.4%	**1%**

Qn: Name two ways in which you as a Kenyan can participate in the handling of affairs/management/governance of your country.

Table 80. **Things the government is supposed to do for citizens, by education level**

	No formal education	Primary	Secondary	Tertiary	Total
Create a conducive environment for investment, employment and self-employment	19%	20%	16%	16%	**17%**
Protect me and my family from internal and external threats	20%	18%	15%	16%	**16%**
Ensure access to quality health care	13%	14%	15%	16%	**15%**
Ensure access to quality education	11%	14%	13%	14%	**14%**
Protect my property	14%	10%	11%	9%	**10%**
Ensure access to clean and safe water	5%	5%	8%	8%	**7%**
Build roads and other infrastructure	8%	7%	7%	7%	**7%**
Ensure access to food	4%	5%	6%	5%	**5%**
Conserve and protect the environment and other natural resources	1%	2%	2%	2%	**2%**
Ensure access to quality housing	1%	1%	2%	3%	**2%**
Ensure access to quality and reliable energy	2%	2%	2%	2%	**2%**
Issue title deeds to those with private land	0.4%	1%	1%	2%	**1%**
Other	1%	2%	1%	1%	**1%**

Qn: List three key things the government is supposed to do for you as a citizen.

Table 81. **How survey respondents define democracy, by education level**

	No formal education	Primary	Secondary	Tertiary	Total
A government of the people, by the people and for the people	84%	77%	87%	89%	**86%**
A government that allows a few people to run the country	8%	12%	7%	7%	**8%**
A government that forces its people to do what it wants	5%	9%	4%	4%	**5%**
None of the above	2%	2%	1%	1%	**1%**

Qn: Which one of the following statements best describes what the Government of Kenya is according to you?

Table 82. **Description of the government of Kenya, by education level**

	No formal education	Primary	Secondary	Tertiary	Total
A government that forces its people to do what it wants	26%	24%	18%	17%	**19%**
A government that allows a few people to run the country	16%	31%	32%	37%	**33%**
A government of the people, by the people and for the people	56%	43%	49%	45%	**47%**
None of the above	2%	2%	1%	1%	**1%**

Qn: Which one of the following statements best describes what the government of Kenya is according to you?

Table 83. **Feedback on the involvement of Kenyans in the economy, by education level**

		Yes	**No**	**Not sure**	**RTA**
Employment status	Employed	43%	51%	6%	0.1%
	Unemployed	38%	55%	7%	0.2%
	Economically inactive (retired, student)	39%	54%	6%	–
	Refused to answer	33%	50%	11%	6%
PLWDs	PLWDs	30%	66%	4%	–
	Non-PLWDs	41%	52%	7%	0.2%
	Total	**41%**	**53%**	**7%**	**0.2%**

Qn: Do you think the Kenyan people are actively involved in the country's economy?

Table 84. **Economic and social rights that are guaranteed in the 2010 Constitution of Kenya, by education level**

	No formal education	**Primary**	**Secondary**	**Tertiary**	**Total**
Right to the highest attainable standard of health	49%	42%	46%	48%	**47%**
Right to education	41%	40%	42%	44%	**42%**
Right to accessible and adequate housing and to reasonable standards of sanitation	32%	41%	36%	37%	**37%**
Right to be free of hunger and to have adequate food of acceptable quality	34%	38%	37%	35%	**36%**
Right to clean and safe water in adequate quantities	33%	29%	36%	34%	**34%**
Right to social security	37%	33%	32%	31%	**32%**
Right to emergency medical treatment	23%	16%	14%	17%	**16%**
Right to appropriate social security for persons who are unable to support themselves and their dependants	5%	15%	14%	13%	**13%**
Other	1%	1%	0.4%	1%	**1%**

Qn: Please name any three economic and social rights that are guaranteed in the Constitution of Kenya 2010.

Table 85. **Awareness of government responsibilities towards citizens, by gender and age**

	Male	Female	18−24 years	25−35 years	36−45 years	46−55 years	56+ years	Total
Create a conducive environment for investment, employment and self-employment	18%	16%	18%	16%	18%	18%	17%	**17%**
Protect me and my family from internal and external threats	16%	16%	16%	15%	16%	16%	19%	**16%**
Ensure access to quality health care	16%	15%	15%	16%	15%	15%	14%	**15%**
Ensure access to quality education	13%	14%	14%	14%	14%	15%	11%	**14%**
Protect my property	10%	11%	10%	11%	10%	10%	11%	**10%**
Ensure access to clean and safe water	7%	8%	7%	8%	7%	7%	7%	**7%**
Build roads and other infrastructure	8%	6%	6%	7%	7%	8%	7%	**7%**
Ensure access to food	5%	6%	7%	5%	5%	4%	5%	**5%**
Conserve and protect the environment and other natural resources	2%	2%	2%	2%	2%	1%	2%	**2%**
Ensure access to quality housing	2%	2%	3%	2%	2%	2%	1%	**2%**
Ensure access to quality and reliable energy	2%	2%	2%	2%	1%	2%	2%	**2%**
Issue title deeds to those with private land	2%	1%	1%	2%	2%	1%	1%	**1%**
Other	1%	1%	0%	1%	1%	2%	2%	**1%**

Qn: List three key things the government is supposed to do for you as a citizen.

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ABOUT THE PARTNERS

Centre for Multiparty Democracy Kenya

The Centre for Multiparty Democracy (CMD-Kenya) is a political party–based organization established in March 2004. It provides a platform for political parties, political actors and policymakers to engage in dialogue and cooperate in strengthening multiparty democracy. CMD-Kenya works closely with political parties, political actors, strategic partners and key stakeholders in promoting social justice, political governance best practices, and respect for human rights and fundamental freedoms.

International IDEA

The International Institute for Democracy and Electoral Assistance (International IDEA) is an intergovernmental organization that supports sustainable democracy worldwide. International IDEA develops, shares and enables the use of comparative knowledge in its key impact areas of expertise, namely electoral processes, constitution-building, democracy assessment, and political participation and representation. The Institute also addresses the important issues of gender equality and inclusion as well as conflict and security.

Kenya promulgated a new Constitution in August 2010, creating a solid legal platform for enhancing participatory governance through devolved structures at the county level. The establishment of a devolved system of government aimed to facilitate access to power and to move control over resources from the central government to the counties. While devolution is highly popular among Kenyan citizens, there has also been criticism of the costs involved, the increased competition between officers, and corruption and ethnic competition, which have arisen across much of the country.

To shed light on the state of local democracy alongside issues of gender and inclusion, CMD-Kenya commissioned a survey which applied International IDEA's State of Local Democracy framework, to conduct a 'health check' for democratic governance at the local level in order to identify strengths and weaknesses. This Report presents all the findings of the survey.