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Bachelor in Development Studies

Opportunities for Kenyans to fight corruption

A qualitative case study in western and central Kenya, on devolution's effect on citizens' and civil society's engagement to mitigate corruption

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Abstract

In 2013 Kenya implemented their devolution, which is the process of devolving political functions, fiscal resources and administrative responsibilities to sub-national units. The central reason behind this constitutional change was to address the chronic ethnic conflicts of Kenya. A part of the ethnic conflict in Kenya is the plague of corruption, where it has divided the people of Kenya, putting the citizens against each other instead of nurturing a society capable of checking the abuse of the ones in power. The devolution's purpose was to address these obstacles of development and move away from the strongly centralized system. However, the reasoning of the positive virtues of devolution's effect on corruption is ambiguous.

The purpose of this study is to examine if the devolution has brought about any change for citizens and civil society to mitigate corruption in the new institutional design. This has been examined through a case study in western and central Kenya during a eight-week period in January to February in 2018.

The findings suggest that devolution enables citizens and civil society to engage and hold politicians and public officials accountable through the new institutional settings. Although, poorly functioning corrective institutions hampers this affect and reduces the incentives for politicians and public officials to change their behaviour. However, the findings suggest that civil society can foster engagement amongst citizens through civic education on awareness and consequences of corruption. Citizens' and civil society's engagement in the fight against corruption could potentially challenge the negative social norms of corruption and the power structures of corruption in their societies.

Keywords: Kenya, corruption, devolution, norms, power structures, accountability

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Abbreviations and Acronyms

CBCMP – Community Based Corruption Monitors Programme

CBO – Community-Based Organisation

CSO – Civil Society Organisation

EACC – Ethics- and Anti-Corruption Commission

ECJP – Ecumenical Centre for Justice and Peace

FBO – Faith-based Organisation

NARC – National Rainbow Coalition

NGO – Non-Governmental Organisation

SDGs – Sustainable Development Goals

TI – Transparency International

UN – United Nations

1. Introduction

In 2016 the United Nations (UN) adopted the 17 Sustainable Development Goals (SDGs), where member states were urged to act nationally and internationally to develop strategies and mobilize resources in order to reach them. Goal 16 sets out to promote just, peaceful and inclusive societies, and in two of its sub-goals the UN urges their member states to take actions to "develop effective, accountable and transparent institutions at all levels" (United Nations Goal 16, n.d.) and "ensure responsive, inclusive, participatory and representative decision-making at all levels" (United Nations Goal 16, n.d.). The country selected for this thesis, Kenya, embarked years earlier on a journey with a similar destination in target, namely Kenya's *devolution*. The devolution, which was implemented 2013, meant that political functions, fiscal resources and administrative responsibilities were devolved to sub-national levels, in the Kenyan case forty-seven county units (Youngblood-Coleman, 2017:24-27).

Kenya's devolution can be viewed as an attempt to create *good governance*, which emerged in the 1980s, where various development scholars viewed *decentralization* as remedy, which Tendler (1997) calls the 'decentralization fever'[1]. This refers to the uncritical acceptance that decentralization brings about good governance and accountability when governments are spatially closer to the citizens (Tendler, 1997). In simple terms, the theoretical reasoning regarding decentralization's *accountability mechanism* can be divided up into the enthusiasts and sceptics (Karlström, 2015; D'Arcy and Cornell, 2016)

This is interesting in the Kenyan context, where the lack of accountability is closely tied to the country's epidemic corruption problem. Especially since findings are ambiguous in terms of decentralizations effect on corruption in the African context (D'Arcy and Cornell, 2016). The extent of corruption in Kenya is a major development obstacle, where it appears at all levels of society and is simultaneously the cause and outcome of poverty (Martini, 2012; Locatelli et. al., 2016). The poorest citizens are particularly vulnerable, as corruption discourage them from accessing public services and they are also the ones who use the largest percent of their income to pay bribes (Martini, 2012; World Bank, 2017; Locatelli et. al., 2016). The severe consequences of high levels of corruption is an immediate problem in other developing countries, which can explain why the UN focus on corruption in SDG 16, where one of its sub-goal states explicitly: "substantially reduce corruption and bribery in all their forms" (United Nations Goal 16, n.d..).

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[1] Devolution being a more comprehensive form of decentralization, which is why both terms are used depending of context.

Previous research has shown that utilizing the public in the fight against corruption can act as a catalyst in reducing corruption (Chêne, 2012). On this background, the purpose of this research is to examine if Kenya's devolution has changed the way citizens and civil society can engage in the fight against corruption, and which factors that affect this relationship. This has been researched through a qualitative case study with a grounded approach. The case study was carried out during an eight-week period in the western and central parts of Kenya during January and February of 2018. The empirical data have been collected through qualitative semi-structured interviews, where civil society actors who is closely tied to their local population were interviewed along with key-informants working in institutions relevant for this research. Apart from the theoretical reasoning of the accountability mechanism, this research will also apply concepts of social norms and power structures, to explain how they can change to foster a better engagement, and the concept of civil society to gain a deeper understanding of their role in fostering a more democratic society. The theoretical and conceptual framework was developed through the inductive approach, which also sets out to analyse the findings from an interdisciplinary stance.

The significance of this thesis lies in the potential of contributing to the scattered literature of decentralization, with an in-depth case study of certain social phenomena. Due to the intricate nature corruption prevails in, significant methodological challenges exist in analysing the impact different anti-corruption efforts has had (Chêne, 2012). This case study of western and central Kenya can therefore contribute to the field of anti-corruption and to assist in a better understanding of the larger implications of decentralization (D'Arcy and Cornell, 2016; Cheeseman, Lynch and Willis, 2016).

1.1. Aim and research question

The aim of this thesis is, therefore, to explore what Kenya's devolution might have brought about regarding the country's struggle against corruption. More specifically, how citizens and civil society in western and central Kenya, due to the devolution, can mobilize and act to counter corruption and what the hindering and enabling factors behind their engagement is. Thus, the research questions will be formulated as:

Does the Kenyan devolution enable citizens in western and central Kenya to counteract corruption and if so, in what way?

Does the Kenyan devolution enable civil society in western and central Kenya to counteract corruption and if so, in what way?

2. Background

2.1.   Kenya's devolution

Starting in late December of 2007, and lasting for roughly two months, post-election violence erupted in Kenya after alleged electoral manipulation. The post-election violence has become a tragic historic memory for Kenyans, with several hundreds of casualties and hundreds of thousands displaced. By the end of February, a power-sharing agreement was signed by the alleged winner Kibaki and the opposition leader Odinga, which also marked the end of the post-election crisis (Youngblood-Coleman, 2017:24-27). Although not explicitly stated in the peace deal, the formulation of a new constitution was a key part of the power-sharing agreement (D'Arcy and Cornell, 2016). This was possible mainly because Kibaki and Odinga can be seen as the representatives of the two largest fractions of the country's ethnicities. Thus, the support of the two leaders follow ethnical lines. Ethnicity often determines vote choice in Kenya, where voters traditionally patronage a candidate from their tribe, which has been evident since the introduction of multi-party democracy (D'Arcy and Cornell, 2006).

On the fourth of August in 2010 the citizens of Kenya went to cast their votes in the constitutional referendum. The constitutional change was supposed to address the chronic ethnic conflicts of Kenya, which also was one of the underlying factors behind the process of ratifying the constitution (Cheeseman, Lynch and Willis, 2013; Youngblood-Coleman, 2017:24-29). Although, this was not the first time that the government of Kenya set out to change the constitution, it was allegedly the post-election violence that challenged the status quo and acted as a catalyst and motivation for significant reforms of the constitution (Cornell and D'Arcy, 2016). The referendum approved the new constitution, with 68 percent of Kenyans in favour of the new constitution, with the devolution as a core reason behind the approval (D'Arcy and Cornell, 2016).

The approved devolution meant a reduction of the president's power and the re-establishment of a bicameral parliament, which became the biggest political transformation in the country since independence (Cheeseman, Lynch and Willis, 2013; Youngblood-Coleman 2017:95). The bicameral parliament consist of an upper house, the senate, and a lower house, the National Assembly. The parliament has been designed to protect the county government interests, where citizen in each county elect one women's representative to the National Assembly and one senator to the senate (D'Arcy and Cornell, 2016; Cheeseman, Lynch and Willis, 2013). Furthermore, the devolution meant that elected county governments were created, where the executive power is exercised by governors, and legislative power is exercised

by assemblies in the 47 sub-national units (counties[2]) (D'Arcy and Cornell, 2016). The devolution also meant the reassignment of the provision of key public services to the county administration. This meant that fiscal resource was also redistributed to the county governments, where the counties should not get at any time less than 15 percent of the national revenue (D'Arcy and Cornell, 2016). Therefore, the idea behind the devolution was to move away from the historically strongly centralized system which favoured a culture of 'our turn to eat', referring to the gorging of state resources (D'Arcy and Cornell, 2016; Hope, 2014). The devolution is also seen as an approach to address the chronic ethnic conflicts in Kenya. Where "the new constitution establishes national values and principles of governance that seek to diffuse, if not eliminate altogether, the ethnic tensions fuelled by perceptions of marginalisation and exclusion" (Akech, 2010:20).

Initially, resistance from the central government to implement the devolution haltered the process, but in August 2013 power was fully transferred to the 47 county governments (D'Arcy and Cornell, 2016). It is worth emphasizing that even if there were resistance, the implementation of the devolution has been successful in the sense of the establishment of a comparatively strong decentralization, which was enacted in the national election 2013 (Cheeseman, Lynch and Willis, 2013). Also, instead of the 15 percent resource allocation threshold in the constitution, 32 percent of the national revenue has been committed (D'Arcy and Cornell, 2016). Thus, the Kenyan experience is not consistent with the dominant narrative on decentralization literature, which usually emphasize on the fragility of decentralization reforms and the possibilities for the countries elite to manipulate it, or the capturing of power by local elites as the power is devolved (Cheeseman, Lynch and Willis, 2013). Another unique feature of the Kenyan devolution, especially *vis-à-vis* other African experiences, was the rapid implementation, whereas other countries have decentralized sequentially (Juma, Rotich and Mulongo, 2014; Cornell and D'Arcy, 2016).

2.2.   Corruption

Corruption in Kenya remains as a major challenge and obstacle for the development of the country. But actions and progress have clearly been made. A grand paradigm shift in the anti-corruption work can be seen when the National Rainbow Coalition (NARC) won the 2002 election on an anti-corruption platform. NARC took the power from the highly corrupt one-party rule that had been in place since independence in 1963. The former president Kibaki and

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[2] The counties are based on the 46 administrative districts that existed in 1992, along with Nairobi County.

his government inherited the corruption difficulties and were themselves involved in major scandals (Martini, 2012).

Although, the country still has managed to develop political and institutional changes which has created hope for further improvement. Particularly in 2010, when the constitutional referendum was approved, which led to a more transparent, accountable and integrity-driven political system (Martini, 2012). Another effort was when the Government replaced the supposedly toothless and ineffective Kenya Anti-Corruption Commission (KACC), with the national institution of Ethics and Anti-Corruption Commission (EACC) who is dedicated to deal with corruption through enforcement, prevention and education and they have allegedly been granted "substantial requisite autonomy to discharge their mandates" (Gathii, n.d.: 237). Still, EACC can only recommend prosecutions to the Attorney General, instead of actively pursuing them by their own (Hough, 2013:67)

Even if these changes moved Kenya forward in the battle against corruption, the extent of corruption still displays a gloomy overall image. Out of 182 countries Kenya is ranked as one of the most corrupt country in the world, on the 154th position, in the latest annual assessment on the overall corruption throughout the public sector by TI (Transparency International, 2018a). It is assessed by well-placed officials that Kenya could be losing as much as a third of their annual nation budget to corruption (around $4bn) (Hough, 2013:67). When it comes to petty corruption, such as bureaucratic tasks, the World Bank has reported that 80 percent of firms in Kenya have to make informal payments in order to accomplish their tasks. The Kenyan citizens frequently have to pay bribes for everyday bureaucratic tasks and when utilizing the basic public services such as health care facilities and education (Martini, 2012). Corruption affects all levels of the society and have adversely effects on service delivery and programmes and projects implemented by the government and other stakeholders. Unfortunately, the ones most affected by the level of Kenya's corruption is the poorest citizens who have to pay a larger percent share of their income in bribes, which is also discourages them from utilizing public services. (Locatelli et. al., 2016; World Bank 2017). Corruption has divided the people of Kenya, putting the citizens against each other instead of nurturing a society capable of checking the abuse of the ones in power. Consequently, many Kenyan's are allegedly deprived of their basic rights and opportunities while lacking the environment and effort to mitigate it (Johnston, 2005:176-177).

Usually corruption does not occur as an isolated incident, instead it is prevailing as a strand of corrupt practices or as a culture that nurtures the decision making of individuals engaging in corruption. It is therefore central to look at underlying factors to this behaviour and acceptance

of a culture of corruption in Kenya where corruption has pervaded all levels of society in Kenya (Hope, 2014; Hough, 2013:52-54). The primary cause to the culture of corruption today in Kenya is ascribed to the deliberate neglect and undermining of the basic institutions which are supposed to uphold the rule of law and good governance (Hope, 2014). Thus, corruption becomes ferocious when checks and balances are not functioning, creating what is called 'official moguls', referring to how politicians and officials enrich themselves by altering the system and institutions to secure the wealth and power of themselves and their cronies (Johnston, 2005: 155-156). Institutions outside the executive have been systematically weakened in favour of personalized presidential power and a centralization of the presidency. This environment cultivated a neo-patrimonial power structure, with the abuse of State resources to secure the loyalty of clients further down the hierarchy, even down to village levels. The power of the State led to a dominance and supremacy over civil society which also created a lack of public accountability, where public officials were not held accountable for their actions and these official moguls could without any greater obstacles plunder the Treasury and misappropriated the State's assets (Johnston, 2005:170-174; Hope, 2014). Generations of patronage for the official moguls' cronies and their 'people' have subsequently affected the ethnical tensions in Kenya. Favouring and adjustments of the system for their own tribes has led to the politicization of ethnicity which has powered violence (Johnston, 2005:171-173 and 177; Cornell and D'Arcy 2016).

2.2.1. Definition and distinction of corruption

Within the corruption literature several definitions of corruption exist. As other definitions may omit important factors for the purpose of this study's, the definition chosen will be a composition of pre-existing definitions and has been composed as follows*: the active or passive abuse of entrusted power for private or political gain* (Transparency International, 2018b; Hough, 2013:2; Rose-Ackerman, 2004:1 in Burnell et al., 2014:233).

A typically used distinction classifies three types of corruption. The first, petty corruption, refers to everyday abuses of power which most often affects everyday citizens when engaging with low- and mid-level public officials while acquiring public services or basic goods. The second is grand corruption which refers to corrupt practices of higher levels of officials at the expense of the public good. Grand corruption distorts policies or the central functioning of the state, organizations and companies. The last is political corruption and is often display when individuals or groups manipulates the decision makers to sustain greater power, status and wealth by alterations of policies, institutions or rules and procedures of resource allocations

(Transparency International, 2018). Simultaneously, it is important to note that these distinctions do not generally occur in this pure. Instead, there are different nuances and most of them prevail and intertwine in two or all of the classifications (Karlström, 2015)

2.3. Civil society in Kenya

Civil society in Kenya is vibrant and has even before the multi-party election in 1992 pushed for democratic reforms. Civil society were also actively involved in the process of developing the Constitution. The new Constitution includes the right of public participation, which has altered civil society's role from being critical towards the system to become an active participant in the process. There are thousands of civil society organizations (CSOs), ranging from non-governmental organisations (NGOs) (national, regional and international), community-based organisations (CBOs), faith-based organisations (FAOs), foundations, think tanks and networks among many others which have the same common goal of improving the social, economic and political life of Kenyans (Udenrigsministeriet, 2015).

2.3.1. Definition and distinction of civil society

For the purpose of this study, a clear distinction between civil society and citizen will be used. This enables an analysis where it is possible to separate factors that effects the citizens and civil society. Fioaramonti and Kononykhina (2015) argues how the conceptualization of civil society has lately been influenced by the NGO sector and the US experience, which confine it to professionalized organizations and the non-profit sector. Hence, for the purpose of this thesis it is vital to not exclude other forms of social activism, like informal groups and social networks (Fioaramonti and Kononykhina, 2015).

Instead, this thesis will conceptualize it as the predominant understanding, characterised by elements of the neo-Tocquevillean, referring to "elements of self-organization and broad liberal criteria of separation from the state (and its interference)" (Fioaramonti and Kononykhina, 2015:471). Further, civil society refer to "all the organizations and associations that exist outside of the state (including the political parties) and the market" (Carothers, 1999:19 in Fioramonti and Kononykhina 2015) or constitute "the realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state, and bound by a legal order or set of shared rules" (Diamond, 1994:5 in Fioramonti and Kononykhina, 2015). A broad conceptualization of civil society enables this study to include civil society actors from a wide spectre, such as large NGOs to small localized self-help groups.

2.4.   Civic education in Kenya

Secondary data on the levels of civic education in Kenya is hard to obtain. Although, by using articles, government sites, NGO publications and the findings from the field study it appears that the level of civic education is low, or at least scattered. There have been efforts from the Kenyan state to provide civic education either by the State or through support to civil society actors. As prior to the election 2002, where a programme of 50 000 civic education activities regarding constitutional reform, rights awareness and support for democratic values (Finkel, 2014). There are many forms of civic education, but it is important to note and make a distinction that the civic education referred to in this research concerns the spreading of awareness to adults regarding different factors of good governance and information about the devolution.

3. Previous research

3.1.   Interdisciplinary approach on corruption

Regarding the studies of corruption, there has been a prevailing paradigm relating to the scientific approach of the subject. Studies remain as a privilege of political scientists and public policy experts with focus on political dimensions and specifically regarding problems and solutions of States' institutional framework and public policies (Khondker, 2006). Syed Hussein Alatas, a critic of the paradigm, therefore conducted research from a sociological stance already in the 1950s. Still, his approach on corruption was broader as he urged for an interdisciplinary analysis of the social problem and phenomenon to be able to comprehend the complexity of it (Khondker, 2006). Alatas' holistic approach can be clearly exemplified in what he considers as determinants of economic development: "(a) the historical-sociological, (b) the geographical, (c) the strictly economic, (d) the political, (e) the psychological, and (f) the representational aspect, in terms of both positive and negative collective representations'" (Khondker, 2006:35). Fortunately, the panacea mind-set is dissolving due to a widespread consensus of including contextual factors within the reform agenda (Hough, 2013:31; Ocheje, 2017). The interdisciplinary approach enables an analysis which encapsulates dimension traditionally neglected from the studies of corruption.

3.2.   Institutional changes and accountability

Cheeseman, Lynch and Willis (2016) uses Putnam's *two-level game* to argue how Kenya's devolution has made governors obliged to please two audiences – the national and the county

government – at the same time, which creates an equilibrium which favours both levels of government. The politicians in Kenya now have the motivation and the capacity to act in favour of the county government interest. The threat of being voted out act as a motivation for politicians to act according to the will of the people and for the interest of the county, rather than being closely tied to the national government, which was the case prior to the devolution (Cheeseman, Lynch and Willis, 2016).

The relationship between the national and county government is important to foster a positive decentralization. This is also the paradox of decentralization, "that effective devolution actually requires a strong central government" (PREM, 2012:18). Without national corrective institutions to hold local government accountable, the risk of elite capturing at the local level is a risk (PREM, 2012). The failure of the Kenyan State to create institutions that holds people accountable is obvious in the society were impunity is prevalent. However, the constitutional reform in 2010 led to judicial reforms, which can contribute to stronger checks and balances for the national government (Chêne, 2015). Still, previous research stresses the importance of creating independence for anti-corruption agencies, where political leadership may reduce its efficiency (Heilbrunn, 2004). As noted in the background section, this is not the case of Kenya (Hough, 2013:67).

Other ways for national governments to engage in the fight against corruption is through the collaboration with citizens and civil society. Chêne (2012) argues how Community Based Anti-Corruption Programmes (CBACPs) may reduce corruption and improve the quality and access to public service and strengthening reforms that benefits the citizens. The success of these programmes depends on the external and internal factors. External factors refer to "wider social, political, cultural and economic dynamics of the society and state" (Richards, 2006: 8). Those factors cannot be directly affected by governments, but the internal factors can, since the internal factors consist of the implementing organisation and how it is functioning prior to the initiation of a programme, the design of the program, relationship with stakeholders etc. (Richards, 2006). Thus, national government can implement policies and allocate resources for these programmes. Furthermore, the national government can also through policies and judicial reforms.

3.3.   Civil society and citizens

Previous research points out how democratic decentralization, as in the case of Kenya, most certainly causes civil society at the local level to gain substance and new organisations are formed (Manor, 2011; 2013). As power and resources are decentralized, civil society becomes

more vibrant as the common cause is to influence decision (Manor, 2011; 2013). This is because civil society consist of citizens who themselves are engaged with their personal and local development (Fioaramonti and Kononykhina, 2015). Other research points out how civil society can empower poor and marginalized groups in the society. Civil societies can mobilize these individuals by connecting them to a wider set of allies, where they more easily can affect power holders (Johnson, 2001). Civil society is also beneficial for the citizens' engagement as they can cover some of the expenses which appears when engaging in political action, such as transport and communication (Johnson, 2001). Civil society can also encourage citizens' identity through encouragement to engage in collective action or by informing them about their rights (Johnson, 2001). However, previous research points out that people in poorer household, who is also more affected negatively by corruption, tend to focus more on securing their livelihood prior to fighting corruption (World Bank, 2017). This can partially explain the problems of public participation, where the participation is minimal. Although decentralization provides a framework for public participation, previous research points out that influence by citizens on service delivery is insignificant (Savage and Lumbasi, 2016). Based on this, it is significant to look at other aspect and factors of how citizens and civil society can be utilized more effectively in the fight against corruption.

3.4.   Civic education

Civic education refers to activities with the objective of enhancing the support for democratic norms and values, political awareness and engagement (Finkel, 2014). Previous research has shown how civic education helps citizens to make a stronger association between corruption, deficient public services and negative impacts on their own welfare, thus challenging prevailing mental models and providing concrete incentives to denounce and condemn corrupt behaviours (Stahl, Kassa, and Baez-Camargo, 2017). Although, civic education programmes in newer democracies often focus on the short goal, e.g. informing about Kenya new Constitution, and the findings on the long terms effectiveness are hard to tell. Instead, broader and longer programmes, like including civic education in school curricula can have impressive results (Johnson, 2001). Research has also shown how civic education can have relatively long-lasting effect on citizens' political information, increased perception of empowerment and the mobilization of people, even Kenya which has had and to a certain degree still have political and ethnic violence (Finkel, 2014). Thus, civic education which focus on raising awareness and changing attitudes can be an effective approach of reducing corruption, but it should be stressed that changing social norms is a protracted process (Lindner, 2014).

4. Conceptual framework

Despite the emergence of a more contextual understanding of corruption, as noted in 3.1., this thesis will utilize concepts from the sociology of corruption, to be able to analyse aspects of corruption that have been traditionally neglected, along with concept on the decentralization's accountability mechanism and civil society's role in a democratization process.

4.1.   Social norms and power structures

Social norms are the shared understandings that governs the behaviour of people based on what is regarded as obligatory, allowed, or forbidden within a society. These social norms are sustained by the people approving and disapproving on the shared social norms, which may not always be in their self-interest. They are further sustained by the feelings of embarrassment, stigmatization, guilt and shame that a violator suffers from breaking the social norm (Lindner, 2014; Elster 1989). It may appear odd how some social norms can sustain themselves even as they are not beneficial for the majority of a society, such as corruption, but by looking deeper into social norms one can see how they can be upheld.

Social norms can further be divided into two categories, *injunctive* and *descriptive* norms. Injunctive norms convey information if certain acts are considered to be appropriate or ethical, meaning if most people would approve of that certain behaviour. The descriptive norms, which are more relevant for this thesis, convey information on the supposed frequency of a specific act. Which means that they contain information on what most people would do in that given situation (Köbis, 2018). Determined by the purpose of this thesis, the descriptive norms are more relevant as they are more prone to variances depending on societal context. Thus, the injunctive norms cannot analyse corruption since it is largely considered as unethical and wrong, even if the corruption situation is rampant (Köbis, 2018). As noted before, the descriptive norms may vary and change a certain behaviour, like corruption, but in order to reach that point noticeable changes needs to occur to alter the perceived frequency for that norm (Lindner, 2014; Köbis, 2018).

The concept of social norms can therefore dictate whether a person engage in corruption or expect other individuals to engage, but it does not find the root of why it is being upheld (Ocheje, 2017). In order to explain this, one may use view a Foucauldian perspective of power. Through Foucault's perspective, power is viewed as a strategy rather than a possession, where power "must be analysed as something which circulates, or as something which only functions in the form of a chain /…/ power is employed and exercised through a netlike organization /…/

individuals are the vehicles of power, not its points of application" (Foucault, 1980:98 in Băllan, 2010:38). Hence, power should be regarded as something diffuse, embodied, ratified and upheld by networks of relations. Thus, the study of power should include the study of networks between individuals, as they are upholding the power structures and manage to establish localized power/knowledge regimes (Chiweshe, 2015). The concept of power can therefore be applied to analyse corrupt behaviour where powerful individuals utilize various forms of power as a strategy to oppress the powerless (Chiweshe, 2015; Băllan, 2010).

To contextualize the concept, corruption, as a form of power, has been deployed by those in power as a mean of survival strategy at the expense of the poor which in turn has to pay more for their basic services. Although power structures like corruption serve no positive meaning for the majority of societies, they still manage to be socially reproduced. Young individuals are socialized into corrupt environments with prevailing power structures which allows them to adopt norms on corruption which then are socially transmitted through generations (Chiweshe, 2015). In this study the interdisciplinary understanding of corruption, from section 3.1., together with an additional focus on social norms and power structures will be applied to analyse how Kenya's decentralization process might have changed and altered how actors in the society engage in corrupt practices.

4.2.   Accountability mechanism

The theoretical reasonings of decentralization's effect on corruption argues between two contrasting fractions – the optimistic and sceptic. The former argues about the positive virtues of the accountability mechanism, where the proximity of the government brings about accountability as the decentralization enables people to monitor politicians and bureaucrats which in turn will deter them from engaging in corruption (D'Arcy and Cornell, 2016). Consequently, this is supposed to motivate politicians to provide public services more efficiently. When the power gets closer to the electorates it should enable them to monitor the politicians and bureaucrats to make sure that they are not engaged in corruption. The theoretical assumption is that voters are prone to demand public goods, which means that public servants and politicians hindering the provision of public goods will be punished either through law or by not being re-elected. This will therefore lead to a more responsive local government, facilitated by decentralization, which will improve service delivery and boost local development (D'Arcy and Cornell, 2016).

Simultaneously, the theoretical reasoning is not widely accepted and D'Arcy and Cornell (2016) indicate that there is a lack of empirical findings to support it, particularly in the African

context. On that note, the opposing theoretical reasoning argues that it rather reduces the accountability and increases corruption as the decentralization fragments the political system and creates more complicated decision-making structures which fosters corruption. Another common argument among the sceptics are that the relocation of officials closer to the citizens promotes personalism which in turn increases corruption (Karlström, 2015). As a result of this the decentralization, and the creation of sub-national governments, could rather be viewed as deconcentration of power (Cheeseman, Lynch and Willis, 2016).

Manor (2011) on the other hand position himself somewhere in between the two contrasting sides of the debate and argues that three things are essential to achieve a democratic decentralization. These three essentials are:

1. Substantial powers must be devolved onto elected bodies at lower levels.
2. Substantial resources much be devolved onto them.
3. Accountability mechanisms must be developed to ensure two kinds of accountability: the horizontal accountability of bureaucrats to elected representatives, and the downward accountability of elected representatives to ordinary people (Manor, 2011:3)

If decentralization is completed with any of these essentials absent, the system will fail. In the case of one of the essentials is present but weak the decentralized system would not function effectively and rather limp along (Manor, 2011).

4.2.1. *Public participation*

One of the essential components of decentralization system is the function of the "downward accountability of elected representatives to ordinary people" (Manor, 2011:3). One aspect of this component is public participation, referring to the direct or indirect involvement of concerned stakeholders – persons, groups and organizations who might influence or be affected by policy decisions – when it comes to the decision-making of policies (Quick and Bryson, 2016). Examples of public participation includes surveys, public hearings, participatory planning and budgeting, and monitoring and evaluation (Savage and Lumbasi, 2016). Then what compromises a legitimate and beneficial public participation? Regarding the legitimacy, public participation can be viewed from two perspectives – the facilitators' and the public's. The facilitators, or elected officials, need to provide fair opportunities for stakeholders to engage in the political process and also be attentive to stakeholders' concerns and have an openness to public output. Similar, for a legitimate public participation demands on the public

are a significant component, where their contribution should be logical, they need to explain themselves clearly and base options and outcomes on valid criteria (Quick and Bryson, 2016).

Through public participation government policy and programmes will be acceptable and legitimate of the public. But a key challenge which needs to be addressed is the assurance that appropriate range of interests are engaged in the public participation. One common problem with public participation is that the representation becomes skew, where easily recruited individuals, people who has articulate language and people in privileged position becomes central in the decision-making. Hence, the inclusion and representation of people and groups normally excluded in society are essential to create an inclusive democratic participatory process, where people and groups should be represented despite a certain ethnic, racial, gender or socioeconomic background (Quick and Bryson, 2016).

Thus, the concept of public participation put a demand on both the facilitator – the State, and the stakeholders – people, groups and organizations. The understanding of public participation will further enable an analysis of what factors that determines a functioning collaboration between the two actors.

4.3.   Civil society

Civil society has, according to many scholars, been a vital part in the democratization process and in the fostering of a political culture. Hence the importance of analysing its role in a decentralization process. Almond and Verba (1963) explore the connection between different political cultures and citizen's relation to institutions. Almond and Verba understand political culture as individuals' "attitudes towards the political system and its various parts, and attitudes towards the role of the self in the system" (Almond and Verba, 1963:13). The political cultures have an effect on the operation of politics as it functions as a system of micropolitics and macropolitics which bridges the behaviour of individuals and the behaviour of systems. The only political culture suitable for an ideal democracy is the civic culture, which is characterised by citizen participation, and the attitudes for a favourable political culture can be found in political or apolitical civil society (Street, 1994).

Alexis de Tocqueville argued about the engagement in civil society, or in voluntary organisations, serves as an ideal school of democracy, where people can develop skills which enables them to participate in the democratic process (Hadenius and Uggla, 1996:1631). According to Tocqueville, a strong civil society can participate and create a more gainful system and prevent threat from authoritarians (Cheeseman, Lynch and Willis, 2016).

Participation in these democratic structures is essentially a way of "socialization into democratic norms, through a process of learning by doing" (Hadenius and Uggla, 1996:1622). Robert Putnam have developed Tocqueville's idea of civil society further through his idea of social capital (Beichelt and Merkel, 2014). According to him, social capital is generated through participation in civic associations which brings citizens together and allows them to communicate, deliberate, negotiate, and compromise. Putnam argues that as more people engage in civic associations the more trust is generated in-between the individuals (Beichelt and Merkel, 2014:59). Putnam makes an distinction between two sorts of social capital: bonding and bridging social capital. Bonding social capital refers to the mutual trust that is accumulated through homogenous social, cultural, religious and ethnical circles, which contribution to a beneficial democratization is scanty if not damaging as it may lead to social cleavages vis-à-vis other circles (Beichelt and Merkel, 2014:60). Bridging social capital, on the other hand, is enabling a democratic society, as it refers to civic associations who assemble people from diverse circles with people of mixed ethnical, religious, socioeconomic groups, which leads to more tolerant and fair democracies (Beichelt and Merkel, 2014:48 and 60).

Still, other scholars possess a different approach on the concept of civil society, and some even has rather critical view on certain aspects. Törnqvist, (1999) is one of them, where he argues for the poor applicability of the 'civil society/social capital paradigm' as an effective tool to analyse countries democratization processes. He argues that it sets aside the relations of power and assumes every power of individuals to be equal. Thus, omits the role of class, gender, ethnicity and religion (Törnqvist, 1999:136). Another critique of Putnam's paradigm is the neglect of how the connection between a society with high social capital and a vibrant civil society can mobilize to strive for stronger democracy, as he argues that the major problem is fragmentation of interest, groups and actions, rooted in socioeconomic factors, even if the intentions are good (1999:150).

Instead, Törnqvist argues for a focus of the *politics of democratization*, where the links between various movements in civil society and the State and local authorities can serve as enabling or aggravating factors for democratization (1999:152-153). One factor affecting this is the *political opportunity structure*, where the level of space for pro-democracy efforts affects the outcome. Namely the relative openness or closeness of the political system; the chance for movements linking up with sections of the elite and states capacity and tendency to repress movements (1999:152-153). Hadenius and Uggla's (1996) perspective is similar, where they argue how civil society can gain substance and influence in politics through certain institutional settings and how this may be beneficial for both actors. A part of this is the idea of moving

government closer to the citizens as civil society tend to have a local geographical scope. Civil society bargaining position are relatively better as local government are to a higher degree dependent on support from local actors for implementation of its polices (1996:1630). Civil society can thus bridge the incentives from local populations and take it to a higher level where they possess a better position to strive for a more embedded development (Johnson, 2001). Furthermore, the state apparatus functionality can also affect civil society's involvement, where the government provision of public functions, such as mechanism of conflict resolution, strongly affect the engagement of civil society. Thus, states need a strong presence as facilitators of public function that reduces the costs for civil society to engage in pro-democracy efforts, which otherwise pose a threat for civil society and may have detrimental effects on it (Hadenius and Uggla, 1996:1631)

5. Methodology

5.1.   Research design

This study builds on a qualitative research design, as the purpose is to understand the meaning of a process (devolution's effect on citizens and civil society) in a particular context (western and central Kenya) (Bryman, 2012:401-402). The research design is an intrinsic case study, where the researcher wants to gain a holistic understanding of certain case through analysing a bounded system, while confining the attention to relevant aspects of the research problem and this design usually qualitative methods (Bryman 2012: 67-69; Punch, 2014:120-121). With this thesis purpose, the research is explanatory, since it sets out to analyse why the devolution has brought about certain changes for citizens and civil society possibilities of mitigating corruption (de Vaus, 2001:1-3). The research uses a grounded approach. Through a systemic analysis process, the aim is to explain what is central in the collected data by generating abstract findings. Thus, the research is not based in a specific theory. Instead, the research question and an open-mind towards the data found is the foundation of this inductive approach (Bryman, 2012:13, 24, 388, 567-569).

5.2.   Epistemology, ontology and positionality

The research uses a naturalistic stance, a fusion between an interpretivist epistemology and a constructionist ontology, where the researcher recognizes that people attribute meaning to their behaviour, and the researcher has to understand the subjective meaning of the individual's action (Bryman, 2012: 28-32, 49-50). This meant that the researcher travelled to all the informants home communities, to better reassure that the ecological validity was met (Bryman,

2012:48). This also requires the researcher to be aware of their own positionality and what is implied in that. In this case it means a white European researcher, without deeper contextual awareness. Another aspect is that the informants was gained access to through EACC, which may have affected their attitude and answers in the interviews due to their connection to EACC. Throughout the research process this has been in the researcher conscious, where the aim and purpose of the research was always presented in the beginning of interviews. This process was always evolving during the research as it was noticeable how some informants thought that the researcher potentially could influence their situation. This is something that has been taken into account when writing the analysis (Hammett, Twyman and Graham, 2014: 48-50).

5.3.   Sampling and data collection

The sampling of informants for this study was done by the research's contact person at EACC which consisted of a list with people engaged with anti-corruption activities at a local level. The list contained a variety of people with different ethnical, social and economic background. As the research was initiated the researcher took deliberate decisions to contact other informants that could potentially cover thematic aspects that evolved during the research. Consequently, the sampling strategy became a mix of convenience, snowballing and purposive sampling (Punch, 2014:161-162)[3].

Similar to the sampling strategy, the data collection was no linear process, where flexibility became central. The main data collection tool was individual semi-structured interviews, with the purpose of creating a certain structure which would enable the analysis, meanwhile the informant can elaborate and answer without restrictions (Bryman, 2012:470-472). To take advantage of opportunities unfolding during the research *opportunistic sampling* was also carried out. Thus, some interviews were held in groups as this was the only way to incorporate certain informants in the study (Patton, 1990:169, 179-80). The negative effect of conducting interviews with more than one individual is the group culture and dynamics within groups and how it may discourage people from answering freely, which have been taken into consideration during the analysis (Punch, 2014:147). Other alterations of the data collection strategy also occurred. As when some informants were generous and showed the settings they operate in. This provided a better understanding of the contextual factors of devolution, the extent of corruption and how it portrays itself in people's everyday life. All in all, the data collection consisted of 22 interviews, where the majority are involved in civil society. Out of these, four were key-informant interviews with officers at EACC who had different expertise, one

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[3] See appendix 8.2. for list of interviewees

interview with a person in a high position at TI's Kenyan chapter, and one interview with a public official in the devolved government structure.

5.4. Data analysis

The data analysis already began while conducting the field study, where research diary were used in order to organize and memorize reflections from interviews and observations. By doing this the inductive approach continuously evolved as reoccurring themes and observations developed during the data collection. The process continued with coding the transcribed material, where NVivo 11 was utilized to organize and manage the large amounts of data. The coding process constitute of cyclical coding, where descriptive codes are initially labelled and followed by pattern codes (Punch, 2014:173). NVivo allowed this process to take place at the same time since it is easy to rearrange the codes and put them into categories and hierarchical orders. This enabled the analysis of the data to slowly proceed were the process became iterative as themes and patterns evolved[4] (Stewart-Withers et. al., 2014:75-76; Bryman 2012:24). Thus, as patterns evolved, and themes were broken down into more specific concepts relevant previous research and theoretical concepts could be applied to create a deeper understanding which eventually could answer the research question (Stewart-Withers et. al., 2014:75-76).

5.5. Ethical considerations

As the topic of this thesis concerns corruption, the approach was cautious as informant's engagement often contained dealing with powerful people who cause problems for the informants. The venues where the interviews took place were always decided together with the informant to guarantee their safety and to assure that they felt safe to answer freely. As noted above, this approach also meant that the researcher began the interviews by assuring the anonymity in the following thesis, where their names have been replaced by numbers instead.

5.6. Limitations

The limitations of this study are heavily affected by constrained time and resources of the realized eight-week-long field study. This meant that several interesting aspects of how devolution affect the fight against corruption had to be omitted. Consequently, this study was limited to western and central parts of Kenya. Certainly, a field study that would encapsulate the view of a wider set of people, with more diverse backgrounds, would strengthen the robustness of the findings from this study. Therefore, it is vital to stress that the empirical data

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[4] See appendix 8.1. for the initial cycle of coding

collected, can only explain that particular context. Due to the constraints in time, this study focusses on one part of civic education. The informants in this study are almost exclusively linked to civic education that concerns the education of adults. Also, the sampling strategy might consist of biases, as informants appears to have been chosen based on their involvement in EACC's activities. This was particularly noticeable in the initial interviews. As the researcher became more skilled, strategies were developed to avoid these biases, such as stressing the anonymity of their contributions[5]. Still, these biases have also been under consideration when writing the analysis. Lastly, this study does not aim to generalize, instead it will shed light on certain aspects to contribute to the broader literature.

6. Analysis

The analysis contains of two sections, divided into the citizens' and civil society's engagement in the fight against corruption. The empirical data gathered during the field study is used to analyse the enabling and hindering factors that the devolution have brought about, which will be contrasted against previous research and the conceptual framework.

6.1.   Citizen engagement

6.1.1. *Institutional settings*

When analysing the devolution and the institutional settings which enables the citizens to mitigate corruption in their society, the most evident and clear connection is the introduction of self-governance. Which means that citizens now not only vote for the national government but also cast votes to support their local leaders (Constitution of Kenya, 2010). Informants of this study often emphasize the positive virtues of the devolution, where citizens now can use their constitutional right of voting for excluding corrupt politicians. As the following quote exhibits: "they [politicians] just looted and most of the governors, that was in the last regime, is voted out" (interview 5). This appear to be a clear account of what decentralization enthusiasts would argue to be the positive virtues of the accountability mechanism (D'Arcy and Cornell, 2016). However, the informants display how corruption evidently is persistent and prevailing at all levels of their societies, indicating that citizens voting is not the sole remedy to corruption and corrupt behaviour. Furthermore, informants often mention the negative effects of devolution and how they had "devolved corruption from the national government to the counties"

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[5] The nature and implications of corruption and to respect the anonymity of the informants, quotes will only be presented with randomly assigned number to separate the different interviews. The rest of the interviews will be labelled as key-informant interviews.

(interview 5), as argued by sceptics of decentralization (Karlström, 2015; Cheeseman, Lynch and Willis, 2016).

Another alternation of institutional settings which is significant for citizens' engagement is the right to public participation, which the devolution has embedded in the new constitution (Udenrigsministeriet, 2015). The experience from this study is that public hearings is the most common form of public participation. During public hearings citizens have the opportunity to engage with politicians regarding local development, which means that they may affect how the budget shall be allocated and what their politicians shall focus on. Hence, this could be discussed as a significant effort for creating local government that are responsive to the needs of the citizens. Which also create opportunities for the citizens to reduce the corruption and misappropriation by having insight into the spending of their resources. Although the constitution grants full public participation, the findings from this study indicate that the actual experience of the public participation differs. The informants experience a reluctance from politicians and other stakeholders to not actively hold public participation meetings or that they try to alter the outcome of the meeting. As noted in one of the group interviews:

> Interviewer: Are politicians doing this public participation, do you feel?
> Informant one: No, they do not
> Informant two: They do not. It is us now who go out and make sure that it is done. You know politicians will always wait the end result (interview 5)

In this case, the lack of commitment from the local politicians forced the CSO network to act on their own by signing a petition to the executive board of the county government on the malpractices of breaching the constitutional rights regarding the right to public participation. The CSO network also told, when asked about if the executive board took any action, that if no action would be taken then they would have taken their petition to the next instance (interview 5). They also informed how the outcome of public participation meetings often is altered, where Members of County Assembly brought their cronies to support their cause, and people vocal on the opposing idea would be excluded (interview 5). This demonstrates findings of devolved patronage networks structures in the area of this study, which goes along the stance of the scholars who argue for the negative features of decentralization, where this act as an example where the responsiveness has not been improved (D'Arcy and Cornell, 2016; Johnston, 2005: 155-156). The condition of public participation in the researched area indicate a situation which is not optimal. This should be regarded as a dangerous sign for the devolution of Kenya where

it negatively affects the downward accountability mechanism when the people of Kenya lack, to a certain extent, the capabilities to engage with elected officials to gain transparency into the political process and affect the outcome (Manor, 2011; Quick and Bryson, 2016). Simultaneously, this is not the general perception of this study's informants, who express a noticeable difference, with public participation meetings serving a function of creating transparency into institutions, as well as enabling citizens to participate in their own development. Informants also mention certain counties that have implemented acts in the county governments, which have acted to improve these problems by strengthening the public participation (interview 16).

Other reoccurring themes regarding institutional settings' effects on citizens' engagement are the institutions that are supposed to uphold and enforce the law. This study's findings suggest that citizens do not utilize the institutions for their purposes for several reasons. It appears to be a general lack of knowledge regarding how to go about reporting corruption, as the following quote exhibits: "because people do not know where to report this, because the services is not very close to the community" (interview 12). But lack of trust and fear of backlashes is also evident factors. As in the case with the most obvious institution to report corruption to – the police – are not perceived as trustworthy and informants often point out how the police is connected into patrimonialism and patronage networks, which deter citizens from reporting to them. If citizens would report to the police, the chance of something happening with their case is regarded as very low and people also appear to be afraid of backlashes that potentially would occur from engaging with the police.

On the other hand, the attitude towards anti-corruption agencies was less of fear but rather a perception of incapability, where citizens appear to have low trust that any punitive measurements would take place which discourage from engaging with them. This should not only be attributed to the anti-corruption agencies but the legal system as a whole, where the general perception of impunity prevails among citizens.

Other factors deterring the citizens is the cost of engaging with the institutions, where informants indicate that bribes often are needed in order to complete a process of reporting an incident. This created a tendency where citizens avoided reporting incidents which did not affect them personally. The threshold to engage is therefore high for citizens, and when they do the outcome is often negative. Most clearly noted in this study was in a rural town where private resources are heavily constrained. In this village a man, well-known in the community, had raped a six-year old girl which gave her severe phycological and physiological injuries. The police arrested the man and the case was taken to the court. According to the mother and other

people in the community, the man had sold of his land and paid off the court and the mother lost the case. When asked about if she appealed the case the mother said that she did not have the money for further transport to the city to go through such a procedure. This case acts as an example of the poor functionality of the state apparatus and why citizens avoid battling corruption (Hadenius and Uggla, 1996:1631). Where the deeply rooted corruption and impunity is evident along with the lacking efficiency from institutions, which unfortunately affects the poorest the worst. Consequently, the far more common method to report corruption for citizens was to reach out to the local civil society, like an NGO or CSO, who they perceived to have greater possibilities to assist them.

6.1.2. *Social norms and power structures*

In the previous section, the institutional settings of public participation were analysed. However, it is worth stressing that the public participation meetings' quality and effectiveness are not only determined by the institutional settings and the stakeholders arranging them. The informants describe a lack of interest, resources, and commitment from citizens. For example, in rural areas where resources are limited, the citizens attend meetings for a small gift and do not care of the outcome, as the following quote demonstrates:

> And the Mheshimiwa[6] is there, in Kenya we call it Mheshimiwa, people will be attending that public participation so that after the meeting they will get a soda and then 100 shillings from the Mheshimiwa, so they come for that soda so the meeting end quickly so that they can get the bob[7] from Mheshimiwa. They do not care what they are deciding, uh, they are not very keen on what they want to do. So, public participation are still like that manner (interview 7)

What this study found is that citizens often lack a comprehensive understanding of how their presence potentially will assist their own and the community's development, which would foster a virtuous accountability mechanism. According to previous research public participation effect on service delivery have been insignificant and the quote acts as a symbol of that (Savage and Lumbasi, 2016). Meanwhile, indications of functioning public participation process often occur in this study as well. As in the following quote, where engaged citizens, who had been part of the planning process deliberately took action:

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[6] Honourable in Kiswahili and refers to politicians and statesmen
[7] Slang name for Kenyan shillings – the currency of Kenya

> There was a road that was being constructed and they found that it was not done according to the bill of quantities. They tried to talk to the contractor, he refused listening to them. What did they do? They protested, there was a very big protest (interview 4)

By looking at the society's social norms regarding corruption it is interesting to analyse how those factors affect the citizens willingness to engage in the fight of corruption. When analysing the injunctive norms among citizens, the far majority appear to have a sober view of corruption as being something negative and unethical. Instead when analysing the descriptive norms amongst citizens, the informants speak about the prevailing impunity as a strong factor. Thus, since citizens perceive the likelihood of being penalized for corrupt practices to be very low, the likelihood of other people to engage in corrupt practices is high. Similarly, when analysing the perception amongst citizens to not engage in corruption or to report incidents, the citizens general assumption is that the frequency of other people is very low due to the repercussions it may have on one personally. As exemplified in a story told by an informant of mother who every month had to bribe a large portion of her subsidy from the state to the man handing it out. She knows the practices is wrong, but the law enforcement will not do anything about it. Hence, to get the subsidy she has to engage in corruption (interview 4).

Other social norms affecting citizens engagement is connected to ethnicity. Where both the injunctive and descriptive norms of reporting someone from the same tribe is viewed as hurting your own tribe. This could be discussed as an example where bonding of social capital may damage the fight against corruption (Beichelt and Merkel, 2014:60). As the following quote demonstrates:

> The way they took corruption is different. If you go to a place like Kisii and arrest somebody with corruption, when you take this people to the EACC you will see a group of people saying that "you are finishing our people". They cannot realize that this person has committed a crime (interview 13).

Still, this is just noted as a minor tendency in this study, as the social norms in regard to corruption in general is more imminent. What is more striking is the lack of impact thinking among citizens, where the conceptualization of corruption is often misleading as being an isolated problem which had no greater effect on societal development. Therefore, what the devolution have brought forward is a better understanding for the citizens of their own local development, as the devolution physically moves the government closer to the citizens. Thus, the socialisation in communities appears to have an positive effect for this, as discussed earlier in the thesis about citizens relations to institutions and bridging norms (Street, 1994; Beichelt

and Merkel, 2014:60). This has enabled a better understanding of obstructing and enabling effects of local development, where corruption is central. This specific positive virtue of the devolution should be treated cautiously though, as this study finds it the be highly contextual. Previous research indicates that people in poorer households, who is also more affected negatively by corruption, tend to focus more on securing their livelihood prior to fighting corruption (World Bank, 2017). Even if that is the case in certain rural settings, others have a very strong civic engagement. As the rural population in this study are most severely affected by poor service delivery, they are often more eager to fight the public officials who are wasting their resources. Such as farmers who lack access to market because the resources for road maintenance have disappeared into 'someone's pocket' (interview 16). On the contrary, observations were made in more urban areas as well, where the engagement is lower because they have their basic services in place and are not affect by corruption to the extent that their livelihood is on stake. As noted in the quote:

> In rural areas they understand it better than cities. In cities they feel 'we are educated', you should give us some allowances. But in rural areas they come because they want to know how to improve their service delivery, like take stuff to the market. In cities they have what they need (interview 16).

As noted earlier, the extent of citizens' engagement in different settings and causal mechanism behind it are outside of this study's boundaries due to its limited scope. But factors that appears to be influential are bonding norms (ethnical and religious mix), bridging norms (communal trust in the society), efficiency of institutions, assets and vulnerability. On the other hand, this study found other factors that potentially affect citizens social norms, change their perception on corruption or advance the process of mobilizing the citizens through sensitizing and behaviour campaigns. These will be further elaborated on in section 6.2.2.

6.2. Civil society's engagement

6.2.1. Institutional settings

The institutional settings which have enabled civil society are quite similar to that of the citizens, where public participation is a common practice to engage with politicians and public officials regarding policies, political process and budget allocation. Findings from this study indicates that civil society's engagement are more successful, in the sense of what they can achieve. Civil society's leverage is stronger comparatively to citizens' as they act as an extension of citizens' will. This is acknowledged in previous research, where civil society empowers and connects poor and marginalized groups in society with a wider circle of allies

(Johnson, 2001). This study also found that the greater responsiveness amongst politicians and public officials is also connected to the expertise that civil society often possesses. This is certainly not the case for all of civil society in this study, but the majority of civil society actors interviewed in this study utilized their shared knowledge which together fostered a better expertise on engaging with power holders. That could explain why the findings from this study aligns with previous research, saying how citizens rather utilize civil society to report and complain on certain problems instead of using poorly functioning institutions (Johnson, 2001). As the quote demonstrates:

> It is a bigger thing my brother that we need to see, but us that are on the county level is to make sure that we concentrate on helping the county to come up with right policies. When we talk about nepotism it is a culture now. But are we going to leave it? We have to make sure that [we] follow what the policy talks about and we put them on notice and on toes and even sack them […]. Because like for us we have even gone to court with them. We have taken the county to court (interview 5).

What the quote exhibits, which also was the case for the findings in general, is how civil society has gained significant substance in the political sphere. The findings therefore agree with previous research in regard to how the devolution process creates a vibrant civil society (Manor, 2013). Hence, the understanding of the influence collective action may have increases as decisions making and resources are devolved (Manor, 2013). Previous research also points out how generally civil society has an urban bias, since that is where power traditionally is contained (Törnqvist, 1999:143). This study found that the traditionally centralized power has undergone significant changes as power and resources been devolved. Thus, devolution creates a greater incentive for civil society to form and act in other areas apart from the urban settings. Although, the proliferation of civil society is still limping and should be noted as factor potentially negatively affecting the accountability mechanism. As noted in the quote:

> Generally, because we have been a centralized system of government, a lot of the capacity even for watchdogs like our self are really in the city centres. So, you will find that it is in Nairobi and to some extent in Mombasa and Kisumu where you find a vibrant civil society that could even hold government to account (key-informant 4).

Furthermore, Törnqvist (1999:159-160) argues that civil society only may resolve local problems through their engagement. This study found that the potential for civil society to affect politics on higher level has increased due to the devolvement of the government structure. This

is possible to see if analysing it from the perspective of Putnam's two-level game (Cheeseman, Lynch and Willis, 2016). Politicians on the national level have been motivated through the new government structure to be more responsive to will and interest of their county. Thus, civil society's revived influence on local politics can therefore facilitate a responsiveness from national leaders as well, which potentially can lead to better policies and distribution of resource.

As noted in the beginning of this section, civil society leverage is stronger compared to the citizens. Since civil society and corrective institutions cooperate to a certain degree, civil society actors have a fairly deep insight in how institutional settings are affected by the devolution. Especially as a large portion of civil society actors interviewed for this study got their training on corruption monitoring from EACC. It was evident in this study how the internal factors of institutions, like EACC, often acts as an obstacle for civil society to efficiently attack corrupt practices. According to the informants, reports take years to handle and the feedback is insufficient, where informants told that it felt that their work is not supported or acknowledge by EACC. When key-informants at EACC were interviewed they did not disagree but pointed on other factors which are behind the poor collaboration. Resources was one of the main factors, where they do not have enough officers and judges at their disposal to handle cases and report back to people and civil society's actors who filed complaints. This exemplifies the inadequate relationship between institutions and stakeholders, which is important internal factors of community based anti-corruption interventions (Richards, 2006). The lack of resources also means that anti-corruption programmes can only reach limited amounts of civil society actors. Consequently, some civil society actors get their training from NGOs and FAOs or simply by collaborating with other civil society actors who has been fortunate to be trained.

Another factor which was discussed were the independence of EACC as an anti-corruption agency. The Attorney General has to validate the prosecutions, and this entity was known, of both EACC members and civil society, to be highly politicised (Hough, 2013:67). Furthermore, the persistent impunity situation further complicates the efficiency. The lacking independence of an anti-corruption agency is crucial according to Heilbrunn (2004) and might explained partially why the institutional settings does not generate more accountability. Although, the gloomy depiction of the institutional settings should not be regard as absolute failure. The collaboration between the institutions of conflict resolution (as Attorney General, EACC and court), civil society and the citizens still manage to produce some accountability through the reporting mechanism. But the consequence of the imperfect conflict resolution system forces

many civil society actors now to act by themselves and they are determined to create a change by investigating corrupt practices by themselves. As the following quote demonstrates:

> The training in fact made us aware over our rights and how to approach corruption. You can approach corruption without you being noticed, by using the small people from down here. Because, you see, in Kenya when the government was devolved the corruption has been devolved also, to the small villages down the end. Let me tell you, there is a road that is supposed to be hear, that road has not been done. But if you go to the ministry itself the headquarters, the road has been complete and paid. So, we make such reports, this road you say is complete. It actually is not complete. We tell the EACC, look, go and investigate this one. […] So, the approach that we are using by using the communities will work. The problem now is trinity of how to apply the law. It is something we call trinity. EACC is on one side, the Prosecution office is on the other and then it is the courts. You see that movement, there is a lot of disconnections (interview 13).

6.2.2. Social norms, power structures and civic education

The role of civil society's engagement against a corrupt society is not solely focused on reporting. By analysing civil society as the school of democracy, it becomes evident that its position in the fight against corruption is more versatile and can consequently foster favourable norms that benefit citizens and the society (Cheeseman, Lynch and Willis, 2016). In this study civil society actors' size of organisation and focus of activities differed a lot. Everything from farmers collectives, women's groups, self-help groups to large FAOs and NGOs. What the majority have in common is the focus on improving certain elements of the society, where the common goal is good governance. Good governance refers to an accountable and equitable governance, and most of civil society actors had been started because one or many instances of the good governance was not functioning. This study showed that the most common problem with the governance was in fact corruption. As devolution was implemented in 2013 civil society became more vibrant and thus, are not only confined to urban areas anymore (Manor, 2011). The possibilities for a change appear but the society's and the citizens' social norms and understanding of corruption persists as an obstacle. What this section seeks to analyse is how civil society can instigate a change of peoples' understanding and social norms and what such an effort may lead to.

As noted in previous research, CBACPs may act as a catalyst for change in reducing corruption (Chêne, 2012). Civil society approach found in this study is similar, but their focus is less concentrated on the monitoring and instead focus on spreading awareness to communities about the devolved government structure, people's constitutional rights and good governance. This civic education incorporates corruption in all these topics: how it is affecting the people in the communities, what they should anticipate from their leaders and how and what the

community members can do if this is not achieved. Some civil society actors also used the meetings with citizens to collect stories of corrupt practices that later could be reported. Most of civil society actors have different approaches in their civic education, but the following quote demonstrates how it generally goes:

> We organize workshops every month. In every ward, in every sub-location and every location we are having, let say, five workshops in a sub-location or location. In these five workshop, you know they are from the grassroot, we train leaders even touching to the issues of corruption, how we can go about it. After training the people we have already seen the empowerment of the community, and also how they can report. Maybe directly or through our office and us for guidance. (interview 8)

The civic education approach, and the content of it, helps citizens to make a stronger association between corruption and the consequences it has on their welfare, public services and local development (Stahl, Kassa, and Baez-Camargo, 2017). Hence, the civic education helps challenging the social norms and to further condemn corrupt practices (Stahl, Kassa, and Baez-Camargo, 2017). What this study found was that as citizens gain a better understanding of the consequences and damaging effect corruption has on their personal and local development, their engagement in the fight against it increases. To which extent it encourages citizens is hard to determine. But it is acknowledged in previous research that the activities civil society undertake in their civic education is effective in reducing corruption (Linder, 2014). Which include sessions of raising awareness, changing the citizens attitude and the provision of knowledge on how to report, but it should also be noted that its effect on social norms is a lengthy process and does not change radically (Linder, 2014). Although this study exhibits the positive outcome of the civic education approach, the main problem that informants noted was their lack of resources and funding for these activities. As the quote exhibits:

> After churches we take like two hours, because people are tired and hungry. But when we get money in our pockets we go out and we can give them soda and waters to drink and bread. So that one can take longer. When we go to the chief's meetings it takes like two hours, because the clan elders are also tired. So, we need to have a start-up, but I think that most important part is that the EACC should considered to be given a proper funding. Because in that case they can afford to fund us as well, if they see our need. This will assist us a lot (interview 13).

The view from an EACC officer is that they partner with civil society actors who are already active and have a budget (key-informant 2). The experience from this study was that civil society actors most often have to use their highly constrained budgets to perform these

activities. The implication of this was that the only a small number of communities could be sensitized and be engaged to mitigate corruption. Thus, the most influential civil society actors are those who have funding from donors and could therefore reach more people. But the case with funding from donors is that civil society actors become highly dependent of it and their activities may be interrupted when the funding stops. This is therefore a hindering factor for both the citizens' and civil society's engagement. This was the case of one CSO network in this study, which was one of civil society actors having strongest impact, but all of this was put at stake when the funding stopped. This accounts for how fragile civil society is and how funding may affect the whole accountability mechanism.

The reason for this is connected to civil society's small geographical scope along with its strong local connection (Hadenius and Uggla, 1996:1630). This since this study argues that the localization of civic education, provided by civil society, affects the descriptive norms of the society (Köbis, 2018). As individuals may change their behaviour depending on the perceived frequency of other people, the civic education may contribute to an alteration of this perception, as citizens in a given community have been sensitized on the effects of corruption (Köbis 2018; Linder, 2014). Because of the devolution, the effect of civic education and the proliferation of civil society can also be seen on the power structures in the societies of this study. As the following quote demonstrates:

> It is more now than during devolution, but now we have more development. But we devolved corruption, it is true as he said. Before, the County commissioner got the resources and swindled. We had the District Development Officer, he was working with the District commissioner, but they were the only ones who used to know that money had come for roads etc. […] If you look at this road, it supposed to be tarmaced according to reports, but for 17 years it has never been. Now, procurement is done here so we will know. We know there are money, we know that procurement was done, so why is it not done? (interview 16)

The quote also demonstrates how the devolution devolved corruption as well, which also is the overall assessment by informants, which strengthens the reasoning of decentralization sceptics (Karlström, 2015). Even if the assumption of devolved corruption seems to be devastating for the devolution process, this thesis will argue for a more positive potential for the devolution. This since the quote also demonstrates how civil society manages to achieve a change in the society by applying pressure and reporting power holders. By analysing this from a Foucauldian perspective, removing a corrupt leader or bureaucrat may resolve the temporary problem but it does not change the overall problem and the persistent power structure, as argued by Chiweshe (2015). Still, findings from this study repeatedly indicates that civil society's engagement have

hindered more corrupt practices in the area due to their interventions. As the following quote demonstrates:

> Let's say it is an administrative who want to ask for bribe before writing a letter for official duty. Because we have few cases where this has been done and people have reacted and even gone to Nyeri[8] using our knowledge, using the EACC. They have come and given the money, and somebody has been arrested and taken to court[9]. And that one alone changes the whole sub-county! (interview 15).

Hence, civil society's civic education approach has made citizens into more engaged individuals where they utilize their knowledge to report corrupt practices. Consequently, the devolvement of government structure along with the citizens' and civil society's strong local ties deter politicians and public officials from engaging in corruption. This could be analysed as how devolution has enabled an alternation of the power structures in society, where power holders now have to act cautiously as citizens and civil society may hold them accountable. Thus, this thesis argues how this acts as a clear positive virtue of the accountability mechanism. Which also can be explained through analysing how descriptive norms among corrupt politicians and public officials may have changed as the knowledge of more aware citizens and civil society spreads. This could potentially be the noticeable change needed to change the behaviour of people, as the perceived frequency for engaging in corruption significantly changes (Lindner, 2014; Köbis, 2018). However, the relationship between the devolution, citizen, civil society and increased accountability is highly dependent on contextual factors, where different settings appeared to have stronger or weaker relationship depending on size of community, ethnical mix, access to resources etc. This study found that external factors, such as the ethnical dimension, and internal factors, such as the poor efficiency of conflict resolution institutions, may alter this relationship for better or worst (Richards, 2006; Hadenius and Uggla, 1996:1631). Still, prior to the devolution civil society were met with antagonism from politicians and public officials when reaching out to citizens and the following quote exhibits a change: "one of the achievements is that the change of attitude from the corrupt people accepting us to continue" (Interview 15). The quote demonstrates how the devolution has altered the power structures, where the institutional settings, a vibrant civil society and more

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[8] City in Kenya where a EACC office is located
[9] A strategy used by EACC, where they ask a citizen to pay the corrupt persons, so they will have evidence and arrest the person.

aware citizens can to a higher degree hold politicians and public officials accountable, which further reduces the incentive for the to engage in corrupt practices.

7. Conclusion

The aim of this study is to see how the devolution has potentially enabled citizens and civil society to mitigate corruption, where a case study has been carried out in western and central Kenya, which is the geographical limitation of this study and the lens the findings should be viewed through. When analysing citizens' engagement, this study is constrained to data collection based on interviewees'[10] assumption of citizens' perception. With that taken into consideration, the study's finding indicate that citizens' engagement was affected by social norms, power structures and contextual factors, such as resources and access to basic public services. Devolution had affected citizens' engagement through the localization of the government structure, but social norms of corruption constrained their engagement and keeping the status quo. The status quo could be altered by a functioning and efficient state apparatus, with strong correctional institutions. This study found that this is not the case and deters citizens to a large extent from reporting corrupt practices.

When analysing devolution's effect on civil society engagement, this study found it clear that they have become more vibrant and active. The problems of cooperating with non-efficient institutions have hampering effects on civil society's engagement as well. The positive outcome, which devolution has enabled, is how civil society instead engages citizens through their civic education approach. This contributes to the shaping of more positive norms of corruption. This study found that this approach was efficient for putting pressure on politicians and public official which altered the power structures and descriptive norms in the societies. However, the impunity situation, lack of resources and politicized institutions hampers this relationship, which lowers the incentive for corrupt individuals to avoid engaging in corrupt practices.

Therefore, this study, within the context of western and central Kenya, argues that the conflicting argument of the theoretical reasonings regarding the accountability mechanisms are both accurate to a certain degree. But they are to deterministic and are not applicable nor correct to discuss on a general level of devolution's effect on corruption. This is evident in this study, where both views were prevalent. Corruption has been devolving during the devolution.

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[10] See appendix 9.2. for list and characteristic

Meanwhile, the process of devolution is protracted, and this study concluded that devolved corruption could be mitigated through the engagement of the citizens and civil society.

Further studies on decentralization's relationship to the engagement of citizens and civil society should investigate variances and causality between contextual factors more thoroughly, as the limited time-frame of this study field only managed to recognise and cursory highlight that differences exist but could not determine the exact extent and connections between them. This would contribute to how policies and laws could be developed to foster a more efficient decentralization in regard to the contextual factors. Especially in the context of Kenya, where, for example, this study acknowledges that the positive outcomes are relative in the sense that the ethnic conflicts of Kenya have not been resolved due to the devolution.

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9. Appendices

9.1.   Initial coding nodes extracted in NVivo

Name	Description	Files	References
Accountability		4	16
Anti-corruption agencies		9	33
DPP		3	4
Civic Education		6	14
Creating awareness		6	16
How do you educate them		9	20
Negative		6	12
Neutral or not measurable		5	11
Positive		9	30
Selection process of participants		4	10
Spreading		7	15
Who do you educate		5	11
Civil Society		3	10
Class		3	3
Constitution		0	0
Voting		1	1
Context		0	0
Awareness		3	4

Name	Description	Files	References
Awareness corruption		5	14
Awareness rights		5	6
Stakeholders aware of monitoring		2	4
Corruption level		1	2
Effect on community		4	8
Effect on people		6	11
Effect on society		3	5
Ethnical mix		11	26
Low education		3	4
Situation of community		5	21
Target group		1	2
Corruption in general		9	39
Change		2	2
Nepotism		2	5
Procurement and tender		3	9
Service delivery		4	11
Current situation		3	10
Improved after devolution		1	2
County Government		5	23
Culture and values		7	30

Name	Description	Files	References
Devolution		3	4
About		1	2
Negative change		5	7
Policy		2	5
Positive change		5	12
Engagement		4	10
Feedback mechanism		3	5
Hindering factors		7	22
Impunity		6	14
Institutions		6	21
Monitoring and reporting		6	15
Negative		5	8
Positive		7	14
Motivation		5	7
National Government		2	6
Organisation		2	2
Focus of org.		2	4
Politics		2	3
Possibilities		8	17
Public Participation		6	24

Name	Description	Files	References
Resources and funding		8	22
Responsibility		1	2
Risks		3	5
Support and appreciation from communities		1	1
Mixed		4	6
Negative		2	2
Positive		3	4
Training of interviewee		10	40
Tribe		0	0
Kikuyu		4	4
Luhya		4	4
Mixed tribe		2	2
View or definition of corruption		8	10

9.2.   List and characteristics of interviewees

Interview	Location	Participants
Initial key-informant interview with a staff member of EACC, working on preventative measures and education.	Nairobi, Nairobi county	Female
Staff at Ecumenical Centre for Justice and Peace (ECJP)and trainer of trainers	Nairobi, Nairobi county	Female
Staff at ECJP and trainer of trainers	Nairobi, Nairobi county	Female

Staff at a community development NGO	Nairobi, Nairobi county	Male
Staff at ECJP	Nairobi, Nairobi county	Male
Group interview with a civil society network, which is a consortium of self-help groups, NGOs and CSOs	Bungoma, Bungoma county	Five males and three females
Member of local CSO and civil society network on county level	Lugari, Kakamega county	Male
Ward administrator (bellow county and sub-county level)	Ward and town not specified to assure anonymity, Kakamega county	Male
Local community trainer, representing ECJP	Vihiga county	Male
Local community trainer representing ECJP	Nandi county	Male
Trainer of trainers representing ECJP	Multiple counties	Male
County coordinator and administrative assistant officer for ECJP	Kisumu county	Two males
Members of self-help group	Tabaka, Kisii county	Two males
Members of CSO	Tabaka, Kisii county	Three males
Member and trainer at national anti-corruption organisation	Kisii, Kisii county	Male
Regional trainer for EACC	Active in Western counties (old Nyanza province)	Male

Staff members at EACC, evaluating and working with the legal aspect of civil reports	Kisumu, Kisumu county	Two females
Regional trainer for ECJP	Nyandarua, Laikipia and Nyeri counties	Male
Regional trainer for ECJP	Nyandarua, Laikipia and Nyeri counties	Female
Exalted member of Transparency international – the Kenyan chapter	Nairobi, Nairobi county	Male