



REPUBLIC OF KENYA

Devolution and Public Participation In Kenya

Civic Education Curriculum for General Public

13 Weeks Programme

2016



Uraia



Council of Governors





Devolution and Public Participation in Kenya

Civic Education Training Manual

13 weeks Programme

ISBN:

Published and printed by

©Ministry of devolution and Planning, and Transition
Authority

All or part of this publication may be reproduced freely, provided the Ministry of devolution and Planning and Transition Authority are dully acknowledged **DISCLAIMER**

This publication should not be used as a substitute for officially published copies of the constitution, laws or other official government documents related to the topics discussed herein. Every effort has been made to ensure the accuracy of the information given. Any information in this manual deemed inaccurate or incomplete is not intentional and the author(s) should be notified immediately for correction and/or amendment.

National Anthem

Ee Mungu nguvu yetu
Ilete baraka kwetu
Haki iwe ngao na mlinzi Natukae
na undugu Amani na uhuru
Raha tupate na ustawi.

Amkeni ndugu zetu
Tufanye sote bidii
Nasi tujitoe kwa nguvu Nchi yetu
ya Kenya Tunayoipenda
Tuwe tayari kuilinda

Natujenge taifa letu Ee, ndio
wajibu wetu Kenya istahili
heshima Tuungane mikono
Pamoja kazini
Kila siku tuwe na shukrani

O God of all creation
Bless this our land and nation
Justice be our shield and
defender May we dwell in unity
Peace and liberty
Plenty be found within our
borders.

Let one and all arise
With hearts both strong and
true Service be our earnest
endeavour And our homeland
of Kenya Heritage of splendour
Firm may we stand to defend.

Let all with one accord
In common bond united
Build this our nation together
And the glory of Kenya
The fruit of our labour
Fill every heart with thanksgiving

Foreword

The Constitution of Kenya was promulgated on 27th August, 2010, following a long process of development. It expresses the general will of the nation, its history aspirations and vision. It is therefore, important that every Kenyan understands the provisions of the Constitution as it concerns their individual welfare, that of fellow citizens and the State.

Article 1 of the Constitution provides that all Sovereign power belongs to the people of Kenya which is exercised directly or indirectly through democratically elected representatives. In line with these provisions, it is imperative that citizens are placed at the centre of governance and public service.

One of the landmark provisions of the Constitution is the devolved system of governance which has created two levels of governments:- National and County Governments. The two levels of government have been assigned clear mandates as detailed in the Fourth Schedule of the Constitution. This being a new system, there is need for the Citizens to understand how it works and their role in its implementation.

One way of enhancing the capacity of the public to effectively participate in governance, is through civic education. Citizens need to be provided with the right information that will enable them to effectively participate in public affairs and national development. Article 33(1) a of the Constitution states that every person has the right to freedom of expression which includes freedom to seek, receive or impart information or ideas. Civic education will ensure that Citizens have enhanced knowledge, understanding and ownership of the constitution.

This curriculum has been developed to guide trainers of civic education and enable them to effectively train the target groups on the provisions of the Constitution particularly, devolution and public participation.



HON. MWANGI KIUNJURI, MGH
CABINET SECRETARY
MINISTRY OF DEVOLUTION AND PLANNING

Acknowledgement

The development of this Civic Education curriculum has been made possible through a consultative process involving key stakeholders including the Ministry of Devolution and Planning (MoDP), Transition Authority (TA), Uraia Trust, Council of Governors (CoG), County Governments, Kenya Institute of Curriculum Development (KICD), Office of the Attorney General and Department of Justice and Non-State Actors. I wish to thank USAID - AHADI for the printing of this curriculum

I wish to acknowledge the leadership and facilitation offered by the inter-agency civic education team, in the development of this curriculum. In particular, I wish to commend members of the team who included Safia Abdi, Gitonga Mbaka, George Kimani, Michael Mwangi and Margaret Chebii of TA, Nancy Wamwea, Abubakar Said and Caroline Nyamu of Uraia Trust, Cynthia Gichuki of the Office of the Attorney and Department of Justice, Amb. P.R.Owade, Martin Anyango, Nelson Rob, Fredrick Kanini, Amos Omari of MoDP, and Meboh Abuor and Rosemary Njaramba of CoG. I also thank all staff of State Department of Devolution, Members of TA who include Angeline Hongo, Simon Pkiyach, Dr. Dabar Abdi Maalim, Erastus Rweria and Bakari Omara, and the Staff of TA who include Mary Ndeto, Dr. Dabar Abdi Maalim, Makori Kerosi Duncan Ndegwa, Margaret Kiema, Mulei Muia, and Polycarp Oduol for their support and contribution.

I also wish to acknowledge the team from KICD who included Ruth Mugambi, Jane Nyaga, Winrose Rono, Julia Gathenya, Elmad Songe, Grace Rasugu, Josephat Miheso, Sr. Susan Mutune, Kaluli Nengo, Purity Warigia, Joyce Rungu, Hannah Ngaruiya, Arthur Msambai, Peris Wachuka and Olive Mbuthia for providing technical expertise.

I recognize the contribution of Commission on Revenue Allocation, Commission for the Implementation of the Constitution, Kenya National Human Rights Commission, Public Procurement and Oversight Authority, National Land Commission and Independent Electoral and Boundaries Commission for partnering with us in the process of developing and piloting of the curriculum and training manuals.

I am sincerely grateful to the United Nations Development Programme, Uraia Trust and Transition Authority for their financial assistance towards this process.

For all those individuals and organizations that in diverse ways made development of this curriculum a success but I could not mention by name, I say, thank you.



MWANAMAKA MABRUKI, CBS
PRINCIPAL SECRETARY, MODP

Preface

The County Governments Act, 2012 Part X, provides that there shall be established a national design and framework of civic education, including determining the content of the curriculum. The institutions that have been legally mandated to facilitate the provision of civic education include, the Ministry of Devolution and Planning, Office of the Attorney General and Department of Justice, County Governments and Transition Authority. On the other hand, historically, Non State Actors have always played a reciprocal role in spearheading provision of civic education in the country.

After promulgation of the Constitution, the Kenya National Integrated Civic Education (KNICE) Programme (under the then Ministry of Justice, National Cohesion and Constitutional Affairs) was initiated to provide civic education on the Constitution. With the coming in of the County Governments, it is important to have a more focused curriculum for civic education on devolution and public participation to ensure that the citizens and public officers effectively participate and facilitate the entrenchment of the new governance structure.

It is against this background that the Ministry of Devolution and Planning, Transition Authority and Uraia Trust partnered to develop the curriculum and training manual with the technical assistance of the Kenya Institute of Curriculum Development. The curriculum and training manuals are expected to standardise the content and methodology of delivery of civic education by various providers. It will also contribute towards enabling both duty bearers and right holders to better understand their rights, responsibilities and practice constitutionalism.

The process of developing this curriculum started in February 2014. It involved extensive stakeholder engagement and participation. The process entailed retreats to develop initial drafts, stakeholder reviews, piloting and incorporation of the necessary feedback for finalization. The piloting of the curriculum and training manual was carried out by Uraia Trust in 25 Counties.

The curriculum covers three modules: the Constitution, Devolution and Public Participation. It targets youth in public and private sectors. We trust that it shall aid the provision of quality civic education and contribute to the enhancement of youth understanding of the provisions of the Constitution, devolution, and the principles and platforms of public participation.



GRACE MAINGI
EXECUTIVE DIRECTOR , URAIA TRUST

Contents

National Anthem	3
Foreword	4
Acknowledgement.....	5
Abbreviation and Acroynms	8
Introduction.....	9
Time Allocation.....	10
MODULE ONE: THE CONSTITUTION	
Unit 1.0: Historical Background of the Constitution of Kenya	13
Unit 2.0: The Constitution of Kenya.....	15
Unit 3.0Representation of the People (Chapter 7).....	17
MODULE TWO: DEVOLUTION	
Unit 1.0 Understanding Devolution.....	21
Unit 2.0 Devolved Government Structures	23
Unit 3.0 Inter-Governmental Relations	25
Unit 4.0 Public Service.....	26
Unit 5.0 Public Finance.....	27
MODULE THREE: PUBLIC PARTICIPATION	
Unit 1.0 Sovereignty of the People.....	31
Unit 2.0 Successful Public Participation.....	32
Unit 3.0 Participation in Governance	33
Unit 4.0 Tools for Public Participation	34
Unit 5.0 Platforms for Public Participation	35
Appendix : List of Validators	36

Abbreviation and Acroynms

CAJ	- Commission on Administrative Justice
CoB	- Controller of Budget
CFA	- Election Campaign Financing Act 2013
CIC	- Commission for implementation of the Constitution
CoK 2010	- Constitution of Kenya 2010
CRA	- Commission for Revenue Allocation
EACC	- Ethics and Anti Corruption Commission
IEBC	- Independent Electoral and Boundaries Commission
IEC	- Information, Educational and Communication
IRI	- The International Republican Institute
JSC	- Judicial service commission
KNCHR	- Kenya National Commission on Human Rights
NLC	- National Land Commission
NPC	- National Police Commission
PSC	- Public Service Commission
SRC	- Salaries and Remuneration Commission
TA	- Transitional Authority
TSC	- Teachers Service Commission

Introduction

The Constitution of Kenya, 2010 upholds public participation at all levels of governance. Such participation is only possible when the public is educated on issues affecting their lives.

The thirteen week curriculum targets the general public. It will be conducted in sessions of 3 hours per week and has been developed to equip the citizens with desirable knowledge, skills, attitudes and values for effective participation in governance processes both at national and county levels.

The curriculum has the following three modules:

- Module 1: The Constitution**
- Module 2: Devolution**
- Module 3: Public Participation**

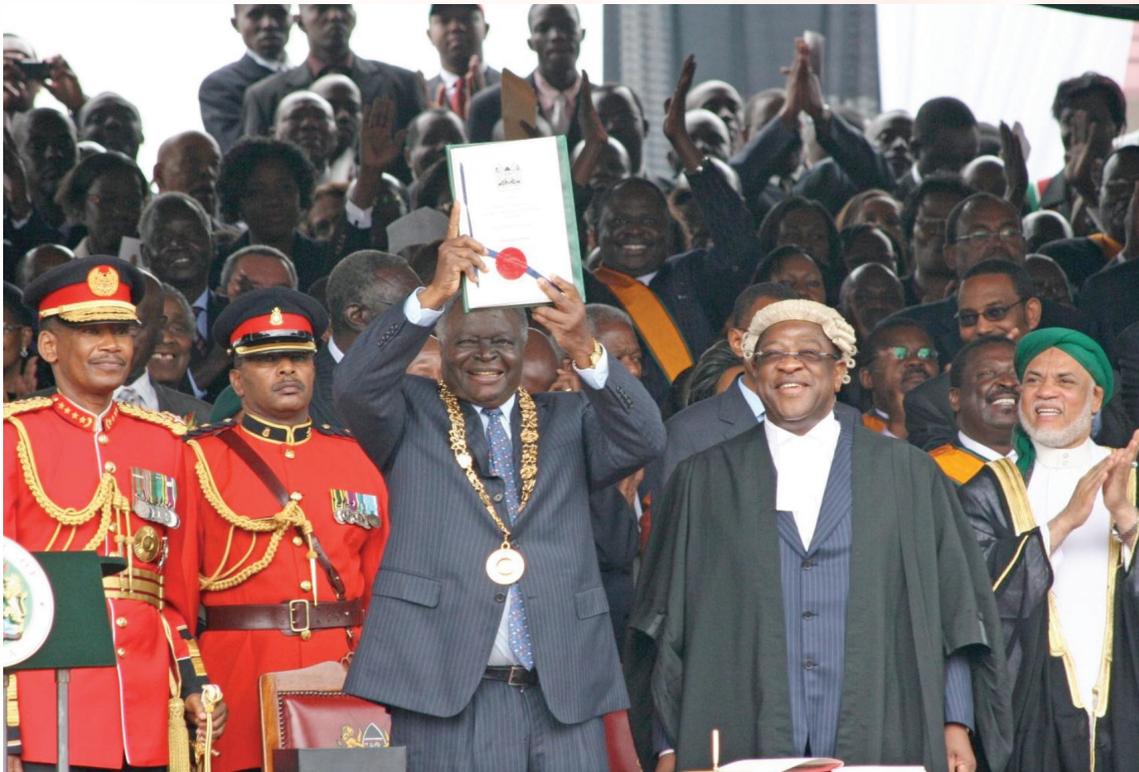
Each module consists of general objectives, units, specific objectives and corresponding contents, learning experiences, resources and assessment methods. This makes the curriculum user friendly for the civic educators and trainers.

It is expected that this curriculum will guide in the provision of continuous and harmonized Civic Education. The Government of Kenya will continue to partner with other stakeholders in providing effective Civic Education that will eventually contribute to improved governance and sustainable national development.

Time Allocation

Unit	Module	Topic	Time
		Workshop Preliminaries	2 Hrs
1	The Constitution	Historical Background of the Constitution of Kenya	2Hrs
		The Constitution of Kenya	3Hrs 30mins
		Representation of the People	4hrs 30mins
2	Devolution	Understanding Devolution	3 Hrs
		Devolved Government Structures	3 Hrs
		Inter- Governmental Relations	1Hr 30mins
		Public Service	2 Hrs
		Public Finance	4Hrs30mins
3	Public participation	Sovereignty of the People	3 hours
		Effective Public Participation	2 hrs
		Participation in Governance	4 Hours
		Platforms for Public Participation	3 Hrs
		Tools for Citizen Participation	3 Hrs
Total			39 Hrs

MODULE ONE: OVERVIEW OF THE CONSTITUTION



Introduction

This module aims at equipping participants with knowledge on the Constitution of Kenya. It further aims to enlighten the public on their rights, responsibilities and opportunities for participation in governance.

General objectives

By the end of the module, the participant should be able to:

- a) Understand the historical background of the Constitution of Kenya
- b) Appreciate and promote constitutionalism
- c) Appreciate and exercise the rights and responsibilities enshrined in the Constitution
- d) Appreciate the importance of values and principles of governance as per the Constitution
- e) Acquire skills, knowledge and attitudes of protecting the environment
- f) Understand different ways of administration of natural resources
- g) Acquire knowledge and attitudes for active and effective participation in electoral processes.

Unit 1.0:

Historical Background of the Constitution of Kenya

(2 Hours)

1.1 Specific objectives

By the end of this unit, the participant should be able to:

- a) state the meaning of the term constitution;
- b) state the purpose of a constitution;
- c) differentiate types of constitutions;
- d) discuss the evolution of the Kenya Constitution from the pre-colonial, colonial period and the post-colonial period;
- e) trace some of the major constitutional amendments in Kenya;
- f) appreciate constitutionalism.

1.2 Content

1.2.1 Meaning and purpose of the Constitution

1.2.2 Types of Constitutions

- Written
- Unwritten

1.2.3 Constitution from the Pre-colonial and Colonial periods

- Customary Constitutions
- Lyttelton
- Lennox Boyd
- Macleod Constitution
- Lancaster House Conferences
- Westminster Model

1.2.4 Constitutional Amendments between 1964-2010

- Introduction of the Republic
- Abolition of Majimbo
- Unicameral legislature
- One party structure
- Introduction of the multiparty system
 - Repeal of section 2 (a)
- Bomas draft
- Wako draft
- Kilifi draft

- Referendum of 2005
- The National Accord
- The Constitution of Kenya – 2010
 - Referendum
 - Promulgation

1.3 Suggested learning experiences

- Brainstorming on the meaning , roles and types of Constitution
- Group discussion on the evolution of the Kenya Constitution
- Sharing experience on the major amendments on the Constitution of Kenya, 2010
- Brainstorming on the types and purpose of the Constitution
- Group discussion on the evolution of the Kenya Constitution
- Sharing experiences on circumstances leading to the major amendments on the Constitution of Kenya

1.4 Suggested learning resources

- The Constitution of Kenya, 2010
- Citizen handbook, Uraia/IRI (2012).
- Charts on evolution of the Constitution
- EC materials

1.5 Suggested assessment method

- Question and answer
- Observation on active participation in group discussions.
- Observation on active sharing of experiences

Unit 2.0: The Constitution of Kenya

(4 hours)

2.1 Specific objectives

By the end of the unit, the participant should be able to:

- a) give an overview of the chapters and schedules of the Constitution;
- b) Appreciate the sovereign power of the citizen as provided for in the Constitution of Kenya, 2010;
- c) state the rights under the Constitution of Kenya;
- d) demonstrate the ability to apply the rights under the Constitution;
- e) identify the limitation of rights and fundamental freedoms under the Constitution of Kenya, 2010;
- f) classify the three types of land;
- g) discuss the principles of land management under the Constitution of Kenya;
- h) discuss the various land tenure systems;
- i) state the functions of the National Land Commission, Ministry responsible for land and the County land management Boards;
- j) identify types of natural resources;
- k) discuss ways of protecting the environment and natural resources;
- l) explain the agreements relating to natural resources;
- m) discuss the national values and principles of governance under the Constitution;
- n) state the guiding principles of leadership and integrity under the Constitution;
- o) discuss the conduct of state and public officers as stipulated by the Constitution of Kenya;
- p) name the institutions responsible for the implementation of the Constitution.

2.2 Content

2.2.1 Overview of the key provisions and schedules of the Constitution of Kenya

2.2.2 Unique features of the Constitution of Kenya 2010

2.2.3 National values and principles of governance

2.2.4 Principles of human rights

2.2.5 Rights and fundamental freedoms in the Constitution

- Civil and political rights
- Social and economic rights
- Cultural and environmental rights
- Rights of specific groups of persons.

2.2.6 Limitation of rights and fundamental freedoms under the Constitution of Kenya, 2010

2.2.7 Classifications of land in Kenya

- Public land
- Private land
- Communal land

2.2.8 Principles of land management in Kenya

2.2.9 Land tenure system in Kenya

2.2.10 Functions of the National Land Commission (NLC), the Ministry of land and the County Land Management Board

2.2.10 Types of natural resources

2.2.11 Protecting environment and natural resources

2.2.12 Agreements related to natural resources

2.2.13 Guiding principles of leadership and integrity

2.2.14 Conduct of state officers

2.2.15 Institutions responsible for Implementation of the Constitution

2.3 Suggested learning experiences

- Brainstorm on sovereignty and supremacy of the Constitution of Kenya
- Discuss the rights and limitations under the Constitution of Kenya.
- Cross referencing of content against the Constitution and other legal documents
- Share experiences
- Role play situations which requires application of fundamental rights

2.4 Suggested learning resources

- The Constitution of Kenya, 2010
- Citizen handbook, Uraia /IRI (2012).
- Charts highlighting the components of the Constitution of Kenya
- Relevant Acts of Parliament
- IEC materials
- Chart on rights under the Constitution

2.5 Suggested assessment methods

- Question and answer
- Observation on active participation in discussions

Unit 3.0 Representation of the People (Chapter 7)

(4hrs 30mins)

3.1 Specific objectives

By the end of the unit, the participant should be able to:

- a) explain the importance of elections in Kenya;
- b) state the constitutional principles of the electoral system in Kenya;
- c) identify Key provisions on elections in Kenya;
- d) state the functions of Independent Electoral and Boundaries Commission (IEBC);
- e) discuss the elective position in Kenya;
- f) describe the electoral process in Kenya;
- g) describe ways of winning elections in Kenya;
- h) explain the circumstances for run off and election petition;
- i) describe the role and rights of election observers and election agents;
- j) discuss the roles and features of Political Parties as outlined in the Constitution of Kenya and political parties Act,2011;
- k) describe the process of party nomination and dispute resolution;
- l) explain key provisions of the Election Campaign Financing Act (CFA) 2013;
- m) discuss the electoral offences and punishment as outlined in the Elections Act,2011;
- n) describe the process of recall and impeachment.

3.2 Content

3.2.1 Importance of elections in Kenya

3.2.2 Constitution principles of the electoral system

3.2.3 Key provisions on elections

3.2.4 Functions of Independent Electoral and Boundaries Commission (IEBC)

3.2.5 Elective Positions

- Roles
- responsibilities

3.2.6 The electoral process in Kenya

3.2.7 Winning elections in Kenya

- By proportional formula
- Plurality
- 50% +1

3.2.8 Run off and election petitions

3.2.9 Roles and rights of agents in elections

3.2.10 Election monitoring and observation

- Categories of election observers
- Rights and privileges of election observers

3.2.11 Roles and features of political parties

3.2.12 Party lists and party nomination

3.2.13 Party nomination and dispute resolution

3.2.14 Key provisions of the Campaign Financing Act (CFA) 2013

3.2.15 Electoral offense and punishment

3.2.16 Process of recall and impeachment

- Members of Parliament
- Members of County Assemblies
- President , Governor

3.3 Suggested learning experiences

- Brainstorm on electoral processes
- Cross reference content against the constitution and other legal documents
- Role play on voting process, election offences and punishment
- Share experiences

3.5 Suggested learning resources

- The Constitution of Kenya, 2010
- Citizen handbook, Uraia/IRI (2012).
- Charts highlighting the components of the Constitution of Kenya, 2010
- Relevant Acts of Parliament
- (IEC) materials
- Understanding the transition to devolved system of government in Kenya: Frequently asked questions (TA) 2013.

3.6 Suggested assessment methods

- Question and answer
- Observation on active participation in group discussions
- Observation on active sharing of experiences

MODULE TWO: DEVOLUTION



Introduction

This module aims at providing the participant with relevant information on the concept of devolution and the system of devolved government as provided for in the Constitution of Kenya 2010. The module will enable the participant to become an active player in governance processes at both National and County levels.

General objectives

By the end of the module, the participant should be able to:

- a) understand and appreciate system of devolved governance in Kenya;
- b) appreciate the importance of values and principles of the Public Service;
- c) understand and participate effectively in public finance management processes;
- d) understand the public procurement process;
- e) understand the role of citizen in devolved government;
- f) appreciate and promote the principles and scope of affirmative action in devolved government;
- g) Understand intergovernmental relations.

Unit 1.0 Understanding Devolution

(3 Hours)

1.1 Specific objectives

By the end of the unit, the participant should be able to:

- a) Distinguish between decentralization and devolution;
- b) discuss the objects and principles of devolution;
- c) describe the distinct features of Kenya's devolution;
- d) describe Kenya's transition mechanisms to devolved government;
- e) discuss the benefits of devolution;
- f) outline the challenges of devolution and possible solutions.

1.2 Content

1.2.1 Distinction between decentralization and devolution

1.2.1 Objects and Principles of devolution

- Democracy and accountability
- National unity
- Participation
- Rights of minorities and marginalised
- Equity
- Social and economic development

1.2.3 Distinct features of Kenya's devolution

- Levels of government
- Revenue allocation
- Decision making organs

1.2.4 Kenya's transition mechanisms to devolved government:

- Key legislations
- Key Institution
- Transition Authority(TA)
- Commission for Revenue Allocation (CRA)
- Parliament
- Commission for implementation of the Constitution (CIC)
- County Governments

1.2.5 Benefits of devolution

1.2.6 Challenges of devolution and possible solutions

1.3 Suggested learning experiences

1. Explain the terms devolution and decentralization
2. Discuss objects and principles of devolution
3. Brainstorm on distinct features of Kenya's devolution
4. Discuss key institutions in the transition process to devolved government
5. Discuss benefits of devolution
6. Group work on challenges of devolution and possible solutions

1.4 Suggested learning resources

- Constitution of Kenya, 2010
- Citizen Handbook, Uraia/IRI (2012).
- Relevant Acts of Parliament
- Understanding the transition to devolved government in Kenya: Answers to Frequently asked Questions, Transition Authority (2013)
- IEC materials

1.5 Suggested assessment methods

- Question and answer
- Observation on active participation in group discussions

Unit 2.0 Devolved Government Structures

(3Hours)

2.1 Specific objectives

By the end of this unit, the participant should be able to:

- a) describe the structure, composition, functions and powers of the National government;
- b) describe the structure, composition , functions and powers of the County governments;
- c) outline the roles of National Government at the county level;
- d) identify the decentralized units of the County governments;
- e) discuss the relationship between the National and County Governments;
- f) outline the roles of the Institutions shared between National and County Governments.

2.2 Content

2.2.1 The structure, composition, functions and powers of National Government

- Executive
- Legislature
 - National Assembly
 - Senate
- Judiciary

2.2.2 The structure, composition, functions and powers of County Governments

- County Executive
- County Assembly

2.2.3 Decentralized units of the County Governments:

- Urban areas and cities
- Sub-counties
- Wards
- Villages

2.2.4 Relationship between the National and County Governments

2.2.5 Roles of institutions shared between National and County Governments:

- Judiciary
- Parliament
- Independent Electoral And Boundaries Commission (IEBC)
- Ethics And anticorruption Commission (EACC)
- National Land Commission (NLC)
- Commission On Revenue Allocation (CRA)
- Kenya National Commission on Human Rights (KNCHR)
- National Gender and Equality Commission

- Commission on Administrative Justice (CAJ)
- Transition Authority(TA)
- Public Service Commission (PSC)
- Salaries and Remuneration Commission (SRC)
- Teachers Service Commission (TSC)
- The National police commission (NPC)
- Auditor General
- Controller of Budget (CoB)
- Judicial service commission (JSC)
- Commission for the implementation of the constitution (CIC)

2.3 Suggested learning experiences

1. Explain the structure, composition and functions of National and County Government
2. Discuss the institutions shared between National and County Government

2.4 Suggested learning resources

- Constitution of Kenya, 2010
- Citizen Handbook, Uraia/IRI (2012).
- Flow Charts on devolved government structures
- Relevant Acts of Parliament
- Understanding the transition to devolved government in Kenya: Answers to frequently asked questions, by TA (2013)
- IEC materials

2.5 Suggested assessment methods

- Question and answer
- Observation on active participation during discussions

Unit 3.0 Inter-Governmental Relations

1hr30min)

3.1 Specific Objectives

By the end of the unit, the participant should be able to:

- a) discuss the importance, principles and objects of Inter-Governmental Relations;
- b) discuss the structures for coordinating inter-governmental relations;
- c) explain the mechanisms for resolving inter-governmental disputes.

3.2 Content

3.2.1 Importance, principles and objects of Inter-Governmental Relations

3.2.2 Structures for coordinating Inter-governmental relations

- National and County Governments coordination Summit
- Council of County Governors
- Intergovernmental relations technical committee
- Intergovernmental Budget and Economic Council (IBEC)
- Joint Committees
- County Intergovernmental Forums

3.2.3 Mechanisms for resolving inter-governmental disputes:

- Senate
- Judiciary
- Summit
- Council of Governors
- Transition Authority (During the Transition period)
- Alternative Disputes Resolution (ADR)

3.3 Suggested learning experiences

- Discuss the structures for National and County Governments coordination
- Explain the mechanisms for resolving inter-governmental disputes

3.4 Suggested learning resources

- Constitution of Kenya, 2010
- Citizen Handbook by Uraia/IRI (2012).
- Flow Charts on inter-governmental relations
- Relevant Acts of Parliament

3.5 Suggested assessment methods

- Question and answer
- Observation on active participation in discussion

Unit 4.0 Public Service

Time (2Hours)

4.1 Specific Objectives

By the end of the unit, the participant should be able to:

- a) outline the categories of government officers;
- b) outline the functions of the Public Service Commission, County Public Service Board and County Assembly Service Boards;
- c) state the values and principles of Public Service;
- d) discuss the role of citizens in vetting and appointment of public officers.

4.2 Content

4.2.1 Categories of public officers

- State officers
- Public officers

4.2.2 Functions of the Public Service Commission, County Public Service Board

4.2.3 County Public Service Board and County Assembly Service Boards

4.2.4 Values and principles of public Service

4.2.5 Role of the citizens in vetting and appointment of public officers

4.3 Suggested learning experiences

- Role play on vetting and appointment of public officers Distinguish between state and public officers
- Discuss the Public Service Commission, County Public Service Boards and County Assembly Service Boards
- Describe the values and principles of Public service

4.4 Suggested learning resources

- Role play on vetting and appointment of public officers Distinguish between state and public officers
- Discuss the Public Service Commission, County Public Service Boards and County Assembly Service Boards
- Describe the values and principles of Public service

4.5 suggested assessment methods

- Question and Answer
- Observation of a role play on citizen participation in vetting and appointment of public officers

Unit 5.0 Public Finance

Time (4 Hours)

5.1 Specific Objectives

By the end of the unit, the participants should be able to:

- a) explain the principles of public finance management;
- b) identify sources of government revenue at National and County level;
- c) explain how government revenue is shared between National and County governments;
- d) discuss the composition and functions of County Budget and Economic Forum;
- e) explain the different types of County plans;
- f) Describe the steps in the budget-making process at the national and the county levels;
- g) discuss the role of citizens in planning and budget making process;
- h) discuss the importance of monitoring the implementation of plans and budgets;
- i) explain how public goods, works and services are procured;

5.2 Content

5.2.1 Principles of public finance management

5.2.2 Sources of government revenue National and County levels

5.2.3 Sharing of National revenue between National and County governments,

- vertical sharing
- Horizontal sharing

5.2.4 Composition and functions of County Budget and Economic Forum

5.2.5 Types of County plans

5.2.6 The budget making process at national and county levels

5.2.7 Role of citizens in planning and budget making process

5.2.8 Importance of monitoring the implementation of plans and budgets,

5.2.9 Public procurement process for public goods, works and services

5.3 Suggested learning experiences

- Explain the principles of Public Finance management
- Discuss sources and sharing of government revenue between National and county governments
- National and county governments

- Demonstrate budget making process
- Explain the procurement process

5.4 Suggested learning resources

- Constitution of Kenya, 2010
- Relevant Acts of Parliament
- 50 Things Every County Government Official Needs to know About Public Finance Under the Constitution, by CIC & IBP
- Flow Charts on Public Finance
- Citizen Handbook, by Uraia/IRI (2012).
- Relevant reports
- Social Accountability Tools
- IEC materials
- CRA Guidelines on the formation of County Budget and Economic Forum

5.5 Suggested assessment methods

- Question and Answer
- Observation of active participation during discussion
- Observation on demonstration on budget making process

MODULE THREE: PUBLIC PARTICIPATION



Introduction

The aim of this module is to equip the participants with the necessary knowledge, skills, attitudes and values to enhance participation in governance process

General Objectives

By the end of the module, the participant should be able to:

- a) appreciate the sovereign power of citizens as provided for in the Constitution of Kenya, 2010;
- b) acquire knowledge ,skills, attitudes and values necessary to participation in governance processes;
- c) demonstrate ability to utilize tools and platforms for citizen participation in governance processes;
- d) promote public participation in governance processes;
- e) demonstrate creativity and critical thinking in addressing challenges in public participation.

Unit 1.0 Sovereignty of the People

Time (2Hours)

1.1 Specific objectives

By the end of the unit, the participant should be able to:

- a) explain the meaning of the selected terms;
- b) identify the sources of the sovereign power of the people;
- c) identify types of sovereign power of the people;
- d) discuss the value of the sovereign power of the people.

1.2 Content

1.2.1 Meaning of the terms related to public participation

- Citizen
- Sovereignty
- Public participation
- Duty bearers
- Right holders

1.2.2 Source of sovereign power of the people

1.2.3 Types of sovereign power of the people

1.2.4 Value of sovereign power of the people

1.3 Suggested learning experiences

- Brainstorming on meaning of terms related to public participation
- Explaining the source and types of sovereign power of the people
- Discussing the sovereign power of the people

1.4 Suggested learning resources

- The Constitution of Kenya, 2010
- County Governments Act, 2012
- The Citizen Handbook by Uraia/IRI, (2012)
- IEC materials showing public participation

1.5 Suggested assessment methods

- Question and Answer
- Observation during discussion

Unit 2.0 Successful Public Participation

Time (2Hours)

2.1 Specific objectives

By the end of the unit, the participant should be able to:

- a) explain the legal provision in public participation;
- b) outline the steps to successful public participation;
- c) discuss the process of forming a community group;
- d) identify the basic principles for partnering and forming networks;
- e) discuss ways of participating in governance processes;
- f) appreciate and respect the value of working with others.

2.2 Content

2.2.1 Legal Provisions in public participation

2.2.2 Steps for effective public participation

2.2.3 The process of forming a community group

2.2.4 The basic principles for partnering and forming networks

2.2.5 Ways of participating in governance processes

2.3 Suggested learning experiences

- Explanations on activating public participation
- Experience sharing
- Group discussion on successful public participation
- Demonstration on social mapping
- Practical exercises on developing plans

2.4 Suggested learning resources

- The Constitution of Kenya, 2010
- The Citizen Handbook, by Uraia/IRI (2012).
- Sample Social Maps
- IEC materials
- Other relevant reading materials

2.5 Suggested assessment methods

- Question and Answer
- Direct observation on the discussion
- Group presentation on plans

Unit 3.0 Participation in Governance

4 Hrs

3.1 Specific objectives

By the end of the unit, the participant should be able to:

- a) identify forms of public participation;
- b) describe the stages of public participation;
- c) discuss principles of public participation;
- d) relate principles of public participation to national and local contexts;
- e) discuss the benefits of public participation.

3.2 Content

3.2.1 Forms of public participation

3.2.2 Stages of public participation

3.2.3 Principles of public participation

3.2.4 Applying principles of public participation to situations tonational and local contexts

3.2.5 Benefits of public participation

3.3 Suggested learning experiences

- Discussion on principles of public participation
- Explanation on benefits of public participation
- Role play different forms of public participation

3.4 Suggested learning resources

- The Constitution of Kenya, 2010
- Citizen Handbook, by Uraia/IRI, (2012)
- County Governments Act, 2012
- IEC materials on governance

3.5 Suggested assessment methods

- Question and answer
- Observation of the role play
- Observation of active participation in group discussion

Unit 4.0 Tools for Public Participation

3 Hours

4.1 Specific objectives

By the end of the unit, the participant should be able to:

- a) identify tools for effective public participation;
- b) describe tools for effective public participation;
- c) describe tools for social accountability.

4.2 Content

4.2.1 Tools for public participation

- Public Petitions
- Lobbying
- Advocacy
- Manifestos
- Memoranda
- Communiqué
- Written submission
- Public Interest Litigation
- Social accountability tools

4.2.2 Constitutional provisions for public participation

4.3 Suggested learning experiences

1. Explanations on tools for effective public participation,
2. Group discussion on tools for effective public participation
3. Role play on tools for effective public participation

4.4 Suggested learning resources

- The Constitution of Kenya, 2010
- The Citizen Handbook, by Uraia/IRI (2012).
- The County Governments Act, 2012
- Sample Social Maps
- IEC materials

4.5 Suggested assessment methods

- Question and Answer
- Presentations on the tools for public participation

Unit 5.0 Platforms for Public Participation

3 Hours

5.1 Specific objectives

By the end of the unit, the participant should be able to:

- a) identify platforms for public participation;
- b) describe platforms for public participation;
- c) select appropriate platforms for public participation;
- d) state challenges facing public participation;
- e) discuss possible solution to challenges facing public participation.

5.2 Content

5.2.1 Platforms for public participation

- Community fora Citizen Forums
- Social Media
- Round table discussions
- Advisory committees
- Public Consultations
- Public Barazas
- Media (print and electronic)
- Protests
 - Picketing
 - Sit-ins
 - Boycotts
 - Vigil
 - Hunger strikes

5.2.2 Selecting appropriate tools and platforms for public participation

5.2.3 Challenges facing public participation.

5.2.4 Solution to challenges facing public participation

5.3 Suggested learning experiences

1. Discuss the platforms for public participation
2. Role play on the platforms for public participation
3. Analyse a case study

5.4 Suggested learning resources

- The Constitution of Kenya, 2010
- County Government Act, 2012
- The Citizen Handbook, by Uraia/IRI (2012).
- IEC materials

5.5 Suggested assessment methods

- Question and Answer
- Presentations on the platforms for public participation.

Appendix : List of Validators

1. Kinuthia Wamwangi	-	Transition Authority
2. Mrs. Angeline Hongo	-	Transition Authority
3. Ms. Safia Abdi	-	Transition Authority
4. Mrs. Mary Ndeto	-	Transition Authority
5. Peter Kimemia	-	Transition Authority
6. George Kimani	-	Transition Authority
7. Michael Mwangi	-	Transition Authority
8. Maggie Mwangangi	-	Transition Authority
9. Margaret Chebii	-	Transition Authority
10. John Awour	-	Transition Authority
11. Gabriel Nzuki	-	Transition Authority
12. Douglas O. Nyaribo	-	Transition Authority
13. Agnes Philip	-	Transition Authority
14. Richard Makhoha	-	Transition Authority
15. Francis Wambua	-	Transition Authority
16. Morris Okongo	-	Transition Authority
17. Florence Oduk	-	Transition Authority
18. Muthoni Kagumba	-	Transition Authority
19. Nancy Wamwea	-	URAIA Trust
20. Abubakar Said	-	URAIA Trust
21. Caroline Nyamu	-	URAIA Trust
22. Martin Anyango	-	Ministry of Devolution and Planning
23. Nyambura Njaramba	-	TISA
24. Christine Kungu	-	FIDA – K
25. Hudson Mugodo	-	Directorate Public Service Management
26. Phaniel Oindo Ojwaya	-	Council of Governors
27. Lawrence O. E. Barasa	-	IEBC
28. Ochieng M. Khairalla	-	4 Cs Trust
29. Ramadhan Githinji	-	SUPKEM
30. Jane Nyaga	-	Kenya Institute of Curriculum Development
31. Winrose Rono	-	Kenya Institute of Curriculum Development
32. Elmad Songe	-	Kenya Institute of Curriculum Development
33. Omondi Victor	-	Kenya Institute of Curriculum Development
34. Waikwa Wanyoike	-	Katiba Institute
35. Lucy Gaithi	-	CIC
36. Irene Kabua	-	Kenya Law Reform Commission
37. Daniel Waitere	-	National Gender and Equality Commission
38. Ven. Jephthah Gathaka	-	Ecumenical Centre for Justice and Peace
39. Joshua Changwony	-	Institute for Education in the Democracy
40. Ronoh Dennis	-	NCCK
41. James Opundo	-	Office of the Attorney General & Department of Justice
42. Otieno Irene	-	National Tax payers Association
43. Cornelius Odour	-	Katiba Institute
44. Mwachanje Kilelu	-	CLARION
45. Mourine Wambugu	-	National Council for Persons with Disabilities
46. Mogesa Bernard	-	Kenya National Commission for Human Rights



Ministry of Devolution
and Planning



Uraia



Council of Governors

