A Move towards Improving Good Governance in Kenya- Roles of Citizens in Promoting Good Governance

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Abstract

Aim: Governance is at the very apex of human society, wherein, the success of every facet of human life is anchored highly on improved government that is answerable to the needs and interests of the citizens. Good governance, therefore, impacts immensely on human life, as it creates conducive political, social, and economic environments for human survival and development. Every citizen is thereafter able to feel part and parcel of decision-making and all the activities and programs of the government. This paper, sought to articulate the role and obligations of citizens towards improving good governance in Kenya.

Methods: The research is grounded upon a theoretical perspective using the literature drawn from various scholars from the year 2014 to 2024. The paper relied on secondary sources such as books, journals, reports and government records through government anti-corruption agencies.

Results: Views from stakeholders such as government anti-corruption agencies, private sector, civil service organization, among others are considered. However, the people of Kenya in their diversity have been left aside in almost all the reviewed literatures, something which the paper believe is the reason for the word “mitigate corruption” instead of end corruption. The paper thereby, after perusing these literacy records from 2014 to 2024, is convinced that the people have cardinal role to play to end corruption.

Conclusion: The study conclude that people’s involvement is required for any genuine move toward realizing the envisaged good governance in Kenya.

Recommendations: A framework that allows the people to be at the center of decision-making in government’s activities should be sought. People must refuse manipulation and ethnic party politics, enforce the implementation of Kenyan 2010 constitution, and report any corrupt practices regardless of who is the victim. More studies should be conducted especially on the roles of citizens in ending not mitigating corruption.

Keywords: Good governance, public participation, constitutional amendment, and service delivery

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1.0 INTRODUCTION

Governance can be comprehended in the aspects of organization, government, State, and regime when analyzed from these various perspectives, it was defined by Healey and Robinson (1994) to mean, “a high level of organizational effectiveness about policy formulation and the policies pursued, especially in the conduct of economic policy and its contribution to growth, stability, and popular welfare (Bouzguenda & Fava, 2019). Good governance also implies accountability, transparency, participation, partnership and the rule of law. It does not necessarily presuppose a value judgment, for example, a healthy respect for civil and political liberties, although good government tends to be a prerequisite for political legitimacy (Masaka, 2024). This definition thus, draws a big line of demarcation between governance and government, holding that governance is therefore a macroscopic angle of understanding and assessing all the State, institutional, and good government affairs and activities in a manner informed by the rule of law and of more benefit to citizens.

Good governance is measured based on how effectively the government, institutions, and State affairs are conducted in a manner that puts the interest and needs of citizens at the core of its programs. Citizen participation in governance is not an option, but rather a prerequisite that must be pursued for effective service delivery. Active citizenship is therefore necessary and mandatory in a well-developed democratic State and therefore means, an active deliberation to influence public sector decision-making, active, at least in part, by the concern for citizen interest (Zeez, 2018). The citizens should be at the top and remain active, steadfast, and motivated towards realizing their public concerns from the set of rules and policies put forward by the State and government agencies. In this regard of governance, the need for citizen involvement aims to achieve how the government should be as opposed to what the government should do. The involvement of citizenry in every facet and paradigm of government agencies is therefore a clear indication of how the government and State is concerned with the citizen’s social and economic welfare to the extent of giving them the chance to express themselves in various government actions and policies.

1.1 Historical Background

The history of Kenya is rich with unmeasurable attempts geared towards achieving an inclusive society where every person, living organism, and the material thing feels part and parcel of what makes Kenya a State. From when Kenya regained her independence in 1963, several efforts have been undertaken by various actors to ensure good governance. Different stakeholders such as public agencies, civil service organizations, non-governmental organizations and the people themselves have shown an interest to have a governance system that responds to their envisaged aspirations (Hyden, 2021). These quests have been informed by the need to realize the United Nations (U.N) and African Union (A.U) Agenda 2030 and 2063 respectively. An agenda that envisions a global society to have a governance system that is coherent, free from corruption and other evil activities, and focused on addressing the needs and interests of the citizens in diversity (Tsalis et al., 2020; Ufomba, 2020).

Towards this course, there have been various reforms including the constitutional changes in Kenya (Moywaywa & Nyagaka, 2023). Some scholars such as Moywayw et al. (2023) argue that the changes in law have mostly been informed by the need for a good governance framework that responds to the needs of the people while others such as Masaka (2022) have held an argument...
that it has impacted greatly politicians instead of people. Scholars who believe that constitutional changes have been tailored to benefit the people suggest that reform in laws streamline and agitate the rights and fundamental freedoms of every citizen in their pursuit of good governance (Quick & Bryson, 2022). According to their thoughts, this is a governance system that will eventually feel the need and desires of the people, and, work towards realizing the aspirations of the founding fathers, which are peace, liberty, and pursuit of happiness (Omri & Mabrouk, 2020). This implies that it is out of freedom of participation that good governance is to be defined and understood.

The realization of the 2010 constitution has been cited as the major constitutional reform in Kenya just after the dark history of slavery, colonialism and post colonialism in Kenya (Hyden, 2021). Preceding this celebrated development in law, various development had taken place. Kenya got her self-independence from the British colonizers on the first of June 1963 after immense dialogues between the then-Kenyan leaders and the British Colonial Government at the Lancaster House Conference. This meeting was made a realization by the then leaders of the major political parties, KANU and KADU, a negotiation that eventually made Kenya achieve her full independence on 12th, December 1963 (Ochieng’Opalo, 2020). The first constitutional reform was the “independence constitution” which provided for a bi-cameral parliament with checks and balances that provided for democracy, a clear separation of power, and the rule of law (Nangulu, 2021). According to Nangulu (2021), the independence constitution distributed power between the center and the regions that arose from semi-federal system of governance. It also arose from a bi-cameral parliament that comprised elected House of Representatives and Senate. This system also had a clear framework prescribing unique functions of three arms of government, provision allowing the formation of many political parties, an independent Judiciary and provisions of the Bill of Rights (Gathogo, 2020).

The political turmoil of 1964 was orchestrated by the selfish and anti-independence constitution individuals who agitated the need for a more organized and structured system of governance. Such constitution would accord all powers and mandates to the executive arm of government (Okul, 2020. The agitations ultimately destroyed the ideal contemplation of what democracy was meant to be and thereafter proposed 38 amendments that repealed the role of prime minister and introduced the position of executive President to be the overall ruler and President of the Nation. The executive President as was now contemplated by the 1964 constitution replaced the role and mandate of the Queen who was the Kenyan Prime minister under the auspices of the British colonial government. The 1964 constitution that defined the governance at that time gave more mandate to the executive President who had the luxury and latitude of appointing the cabinet, Chief Justice, judges, and Attorney general without the approval of the parliament on all occasions. Consequently, the President enjoyed the mandate of appointing the chair and commissioners to the electoral body, hence KANU merged with the KADU and Kenya became a one-party State known as a “de facto state” (Okul et al. 2020).

The 1964 constitutional provisions were closely followed by the robust changes in the election laws that provided that no political party and/or coalition enjoyed the luxury of nominating their members to all the national and local government if at all, they lacked registered branches in their preferred areas (Gerzso, 2023). These overriding activities were agitated by the government of President Kenyatta which altered the efficacy of democracy, leading to imperialism in his favor (Nyawa, 2020). A “Coup de tat” was staged in 1982 by the militants who wanted to overthrow the government of President Daniel Arap Moi after the formulation of the Constitution Amendment
Act of 1982, which introduced Section 2A which eventually turned Kenya into a “Deja state”. This was then followed by the 1991 political assassinations aimed at intimating and frustrating the constitutional reformers (Hamasi & Amutabi, 2023).

The 1991 agitations were then followed by citizen involvement (Citizens Coalition for Constitutional Change Movement) in a constitutional drive in 1994 which, thereafter led to the formation of the Constitution of Kenya Review Commission (CKRC) Act of 1997, later amended in 1998 to allow a more vivid and accepted citizen drive in the constitutional clamor. The CKRC commenced its robust role of collecting the public views in the year 2000 and afterward delivered its draft constitution in 2004 known as the “Bomas Draft”. This people-driven constitutional proposal was turned down by the government who thereafter came up with the “Wako Draft” that outweighed the Bomas Draft in the 2005 referendum (Nangulu, 2021). The constitutional drive was then carried forward due to the 2007 election turmoil and mayhem (Nangulu et al., 2021).

At the onset of 2008, the parliament embarked on a serious journey of searching for a new constitution, the members of parliament therefore enacted the Constitution of Kenya (Amendment Act) 2008 and the Constitution of Kenya Review Act 2008 to come up with a Committee of Experts (COE) to help in drafting the new constitution. This committee analyzed critically the overriding issues over the times and consulted relevant stakeholders; and on August 4th, the government received a draft of the proposed constitution that was passed by the majority in the second referendum of that year. This constitution is famously known as the “2010 constitution”, a document that was informed by the political social, economic, and historical realities in Kenya.

1.2 Kenyan Constitution 2010 Perspective on Governance

The preamble of the 2010 constitution is the first definition of what good governance in Kenya is all about. The preamble records, “Recognizing the aspirations of all Kenyans for a government based on the essential values of human rights, equality, freedom, democracy, social justice and the rule of law: Exercising our sovereign and inalienable right to determine the form of governance of our country and having participated fully in the making of this Constitution.” The constitution in article one, therefore defines this form of government from the perspective of the people of Kenya and the role of people in maintaining and protecting their democratic rights and fundamental freedoms. “All sovereign power belongs to the people of Kenya and shall be exercised only by this Constitution. (2) The people may exercise their sovereign power either directly or through their democratically elected representatives.”

The constitution of Kenya 2010 provides a government structure consisting of three arms of government, the executive, legislature, and Judiciary. The executive arm of government is headed by the President whose roles are stated in Article 131 Clause 2; respect, uphold, and safeguard this Constitution; safeguard the sovereignty of the Republic; promote and enhance the unity of the nation; promote respect for the diversity of the people and communities of Kenya; and ensure the protection of human rights and fundamental freedoms and the rule of law. The constitution provides for a legislative arm of government made up of two parliaments, the national and senate houses. The two houses have these responsibilities as far as running government functions are concerned: The legislative authority of the Republic is derived from the people and, at the national level, is vested in and exercised by Parliament. (2) Parliament manifests the diversity of the nation, represents the will of the people, and exercises their sovereignty, among others. Consequently, the constitution stipulated the Judicial arm of government under the auspices of the Judicial Service
Commission (JSC) headed by the Chief Justice working closely with the appointed Judges to the Judicial Service Commission and the three-court system, namely, the Supreme Court, High Court and Court of Appeal as stipulated in Article 159 of the 2010 constitution.

The 2010 constitution has tried to provide a framework that promotes democracy and the rule of law. This the law does by stipulating provisions that give Kenyans rights and fundamental freedom to access government services equally while living in Kenya and/or outside of Kenya. In this trajectory, the constitution has provided articles 33 and 35 which allow the people to express themselves freely and access information regarding the functions of the government respectively. The constitution additionally is clear on the text of leadership the government should render to the citizens, by defining clearly the roles of each public servant in articles 73 and 78; the public officer should exercise their mandates in a manner that is consistent with the constitution, gives respect to the people of Kenya and promote the integrity and honor of the offices. The public officer has the power to serve the people and not the power to rule the people (Clause 2 of Article 73). The constitution of Kenya 2010 has the most vivid provisions in Article 48 that allow Kenyans to access justice in diversity from all three arms of government. “The State shall ensure access to justice for all persons and, if any fee is required, it shall be reasonable and shall not impede access to justice.”

1.3 Citizen Participation in Decision Making

It is worth noting that over the decades, citizen participation in public policy formulation and decision-making has remained a dream rather than a reality. The numerous studies drawn from many researchers vindicate the fact that there has been poor public participation in decision-making in almost all the arms of government (Buseri, 2019). This is inconsistent with the fact that community participation is pivotal regarding the development of good laws and policies that aim at protecting and guiding the lives of the public. Many research findings have however, proposed that there is a need for citizen involvement in the decision-making houses to help inform the key policy stakeholders of the real issues with which the policy and any government program should be steered (Rotberg, 2018).

Kenya National Bureau of Standards (KNBS) in their data latest 2019, showed that the youth aged 18-34 are approximately 30% of the total population (Hermett, 2018). Even with this great population percentage, the youth, just like adults, are neglected in decision-making in public offices, so that, the youth over the years, have not gotten the satisfactory opportunity to participate in policy formation and public policy-making houses (Kimutai & Aluvi, 2018). International bodies, like, United Nations agencies have adopted the World Program of Action for Youth (WPOAY) to incorporate the youth in every facet of decision-making in the global society. However, the ratification of these initiatives much they have been adopted, has not fully solved the issue of the under-representation of youth in the policy-making houses.

The 2010 constitution has put the need for public participation as a constitutional requirement in most government functions, legislative formulations, and amendments of any particular law. In this regard therefore, the constitution through articles 174 c and d, has provided for the need for public participation in government formation and sustainability, “to give powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of the State and in making decisions affecting them; to recognize the right of communities to manage their affairs and to further their development.”
1.4 Role of Citizens in Ending Corruption

Corruption is a form of dishonesty or criminal offense undertaken by a person or organization entrusted with a position of authority to acquire illicit benefit or abuse power for one's private gain. Corruption may include many activities including bribery and embezzlement, though it may also involve practices that are legal in many countries. Political corruption occurs when an officeholder or other governmental employee acts in an official capacity for personal gain. Corruption is most commonplace in kleptocracies, oligarchies, narco-states, and mafia states. Corruption can occur on different scales. Corruption ranges from small favors between a small number of people (petty corruption) to corruption that affects the government on a large scale (grand corruption) and corruption that is so prevalent that it is part of the everyday structure of society, including corruption as one of the symptoms of organized crime (Kervalishvili, 2022).

Elsewhere, corruption is an illegal activity (bribery, fraud, financial crime, abuse, falsification, favoritism, nepotism, manipulation, etc.) conducted through misuse of authority or power by public (government) or private (firms) officeholders for private gain and benefit, financial or otherwise (Bahoo, et al. 2020). The United Nations General Assembly through Code of Conduct for Law Enforcement Officials defined corruption as the commission of certain acts at the time of the performance of official duties related to fulfillment of obligations as a result of receiving gifts, promises or incentives, as well as illegal obtaining of them every time a certain action or inaction occurs (Kervalishvili et al., 2022). There are various types of corruption that have been documented (Bahoo, et al. 2020). They include public, private, pervasive and arbitrary corruption. Public corruption can be defined as an illegal activity conducted by a government official, bureaucrat, or politician that involves the offer or receipt of financial or non-financial benefits by other government or private persons.

Public corruption is classified as petty when small gifts or favors are exchanged, and as grand when large sums of money are exchanged. Public corruption is further classified as organized when it is planned, and the individuals or firms involved must pay a lump sum, and as unorganized when it is unplanned, and the individuals or firms involved pay an unspecified sum at every step of the illegal activity. In contrast to public corruption, private corruption can be defined as an illegal activity conducted by an employee, manager, or firm that involves the offer or receipt of benefits by other private or government persons. Private corruption is classified as pervasive when the employee or manager can be certain of the necessity for bribery when dealing with government officials, and as arbitrary otherwise (Alan et al., 2020). The same scholars submits that corruption originate from either the demand side (the recipients of the bribe) or the supply side (the givers of the bribe). Public and private corruption are associated with the demand side and supply side, respectively.

Every country globally appears to have signs of corruption which makes it not a strange thing in the contemporary global society. In China, for example, according to the 2017 Global Corruption Perception Index Ranking released by the nongovernmental organization Transparency International, China's corruption index ranks 77th among 180 countries and regions (with a score of 42), indicating that China is a country with serious corruption (Ren et al., 2021). The negative effects of corruption can be seen in every stage of economic development in various forms and to varying degrees, in all types of political systems (Song et al., 2021). Nevertheless, the activities of almost any country in the world go hand in hand with corruption events. It’s needless to say that

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the degree of their spreading is different, but the comprehensiveness of this problem has long been proven (Akimova et al., 2020). While commenting on the principal part of economic growth, the scholar remarked, economic security is a specific tool to ensure the state stability to impact a number of destructive factors, phenomena and processes of internal and external origin (Akimova et al., 2020). The thoughts from the scholar can thus mean, corruption and its spontaneous growth and development has however, implicated greatly on economic security, thereby becoming a hamper to stability of global states.

The finding was given that the extent of corruption and its underpinning negative consequences on economic growth and stability are experienced in the developing nations than in other more advanced economies (Cevik & Jalles, 2023). Their comments on this empirical evidence suggested that corruption contributes to low quality of buildings and infrastructure and the weakness of health and risk management systems due to widespread corruption (Cevik et al., 2023). Also, in the context of green growth, highly corrupt countries are inefficient in using their natural assets and capital in production and consumption; hence they are less likely to become greener. The results imply that corruption impedes most countries' efforts to achieve the 2030 Agenda of the Sustainable Development Goals, particularly Goal 12—Responsible consumption and production (Tawiah et al., 2024).

In Africa, corruption in countries like Nigeria has an ethic root making it difficult to combat (Arowolo, 2020). The immediate consequences of corruption in Nigeria have been the loss of hundreds of billion pounds since 1960 (Folarin, 2021) and the impacts of this are economic pains and infrastructural decay, but long-term effects include crawling pace of national development and loss of integrity in the global system (Folarin et al., 2021). In Kenya, corruption has existed from the time of colonialism in 19th century. The colonial masters could give the loyal chiefs land title deeds as a reward for their cooperation (Wegulo, 2022). As there is no any positive change yet, according to Ethics and Anti-Corruption report (2023), corruption is still an issue of national and global concern with greater negative implications on government projects. Prior, in their 2022 report on the same, culture and poverty were the leading causes of corruption in Kenya (EACC report, 2023). Corruption is likely to increase prices and inflate project costs; cause delays in project completion and lead to poor quality projects; and distort public spending structure, with a bias towards high value, high complexity investments into new projects as opposed to spending on maintenance and operations (Adam & Fazekas, 2023).

Despite these reports, the Kenyan Lawyer and anti-corruption campaign activist, Prof. Patrick Loch Otieno Lumumba remarked, “Corruption in most Sub-Saharan countries has been given nice names such as money laundering, money embezzlement, and misuse of public resources among other. The African citizens and the governments have refused to call corrupt individuals with their rights name thieves, stealing public resources that they have been trusted to safeguard for the benefit of citizens. It has killed more people than all the pandemics and diseases that have ever existed in Kenya and many African Countries. Corruption is one of the vices that is still eminent and on the higher growth in many African Nations, Kenya actively included (Maragia, 2020). The misuse of funds and other resources has over the years, left the general public in a state of economic, social, and political quagmire as many Kenyans have been left poorer and on their deathbeds (Gok, 2020).
Whereas the status of corruption is still high globally with more cases experienced in sub-Saharan Africa, there is still a dire need for human development which has gained and continues to gain more attention in development economics in recent time (Akinbode et al. 2020). Scholars links this development various measures but in particular, citizen’s centered approach. Achieving an economic growth that will be inclusive and all-encompassing became an issue of discussion among nations of the world in the late 20th century. Hence, the basis for measuring and ranking economic performance changed from income criteria to people-centered criteria and improvement in the quality of life and well–being of the citizenry became the prominent economic development indicator (United Nations Development Programme - UNDP, 1997a). Sen (1995) defined human development as the process of enlarging people’s choice, improvement in the standard of living and increasing capabilities. It further emphasizes investment in education, health, nutrition and income. (Akinbode et al., 2020).

In as much many actors like civil service organizations (Nalyvaiko, 2022), public anti-corruption agencies like EACC and private sector have been cited by most scholar to have a role in ending corruption, the paper in addition, believe the citizens too have a higher role to play to end instead of mitigating extent of this malice hence realizing good governance that records a higher human development measured based on Human Development Index (Akinbode et al., 2020).

1.5 Role of Citizens in Multipartyism

The subject of political parties in Kenya have always focused on the historical development of political parties. The history of political parties and their development have been traced from the onset of the Lancaster House Conference of 1962. This is a period in which Kenya had two main political parties, Kenya Africa National Union (KANU and Kenya Africa Democratic Union (KADU) (Kirwa, 2018). The historical development of multipartyism in Kenya is surely informative on the fact that citizens have always remained subjective and under full manipulation and control by these political parties. Just from the onset of the development of KANU and KADU between 1960 and 1963, the people of Kenya remain in a state of control and manipulation on the side of the political party leaders’ sideline without any question or reason whatsoever from the citizens (Etyang, 2021).

The political formations of 1964 were characterized by political rivalries, threats, detentions, and intimidations arising from contention between the then KANU leader, President Jomo Kenyatta, and the KADU leader Vice President of Kenya, Jaramogi Oginga Odinga (Nasubo, 2023). These born of contentions therefore, made KANU and KADU reunite when the leadership of President Jomo Kenyatta refused to recognize the powers and contributions of the opposition leader Mzee Oginga Odinga and subsequently, the opposition party, KADU, failed to agitate for checks and balances in the governance system of Kenya (Ware, 2018). The two dominant parties, that is, KANU and KADU, were formed out of ethnic conclave however much they had social, political, and economic aspirations. KADU was associated with Jomo Kenyatta who was the political leader and spokesperson of the Agikuyu community famously known as Mount Kenya region, and KADU on the other hand was associated with Jaramogi Oginga Odinga, who was a Luo leader and spokesperson, famously known as Nyanza region. The development of political parties in Kenya has been grounded on the narrow decision lines of ethnicity rather than ideologies and aspirations.

The second phase of the development of political parties was majorly pointed on a rift to remove KANU from power dominance, therefore, several political elites, intellectuals, and the civil society
merged under one agenda of removing the KANU government. Orange Democratic Movement (ODM) and National Alliance Rainbow Coalition (NARC) were formed in the year 2002 to remove KANU from power. These parties were still grounded on ethnic-based affiliations and the leaders of these political parties got an easy chance to control, mobilize, coarse, and incite their ethnic communities toward their agenda. This trend of forming political parties based on ethnic regionalism has increased significantly by the day with Jubilee and CODE, Jubilee and OKA and now, Azimio La Umoja and One Kenya Alliance being grounded and agitated based on ethnic regionalism kind of politics.

This history confirmed that citizens have always found themselves in the Multiparty politics which the people have little or nothing at all to contribute to their development. The citizens have always been there only to be informed by the leaders of the various political parties what to do, how to do it, and with the motive and the interest of their political party leaders. Kenyans in their totality have therefore, from time immemorial, not comprehended well and concisely their responsibilities in the various political parties they have most often found themselves in. The unfortunate reality has made many parts of regional communities remain behind in the development agenda. This is for the reason, leaders are only agitating their interests as opposed to the interest of the general good. Multipartyism politics has plunged many communities in Kenya into adverse poverty since the people submit to their ethnic leaders proposed by ethnic kingpins, regardless of whether or not the proposed individual has a genuine agenda for the community.

1.6 Role of Citizens in Strengthening Civil Society Organizations

Civil society is a term for all the organizations or institutions that knit and resonate between the State, business community, and the family set up (Mlambo, 2020). From a macro-scope perspective, civil society can therefore compost nongovernmental organizations (NGOs), private voluntary organizations (PVOs), peoples’ organizations, community-based organizations (CBOs), civic clubs, trade unions, gender groups, cultural and religious groups, charities, social and sports clubs, cooperatives, environmental groups, professional associations, academia, policy institutions, consumer organizations, and the media (Smith & Hamel, 2023). These CSOs in Africa, most particularly in Kenya have an inextricable relationship with the State in a manner that allows them to urge the government to perform their duties to the people without any form or kind of discrimination based on whatsoever form of diversity. The civil service organizations should be independent agitating an independent service to the people, without comprising the State in the direction of dysfunctionality to the people.

In cases of dysfunctionality of the government, civil society organizations reason, and enter into a cordial relationship with the State to rejuvenate and animate the functional structure of the government. In countries like Kenya, still struggling to rise the economic, social, and political ladder, donor groups are fundamental in urging the civil service organizations to unite and work closely with the government to solve public concerns. The donor group through the CSOs should play a role in the financial budget of the government by offering advisory services on how and what amount the government puts in place for not only running the overall public services but, also the interest of the donor groups.

There is a close connection between civil society, democracy, and good governance in Africa, most specifically in Kenya (Azeez, 2020). The scholar contends that CSO play a key role in the development and drive of democracy and good governance in Kenya and Africa in general. The
CSOs engage in activities to enlighten the public on their democratic rights and duties and their significant role in achieving good governance. The non-governmental organizations and the voluntary private institutions extend their services of educating the public to the local setups where they meet different people regardless of their sex, gender, or level of education teaching them what they should do to achieve good governance.

Additionally, the constitution of Kenya 2010 has also echoed the idea of civil society by stipulating different independent organizations to serve the interest of the people of Kenya. The constitution, therefore, provides independent arms of government, for example, the judiciary, in chapter ten of the constitution which works independently to offer justice to all regardless of their status, gender, or ethnic affiliation. The law has also provided latitude for non-governmental organizations and people-driven organizations to use the law constitutionally to promote the rights and fundamental freedoms of all Kenyans (Kenyans Constitution, 2010).

The citizens should therefore work closely with these civil service organizations by reporting and reaching out to these organizations to achieve and improve their governance system in the country. The people of Kenya are the ones facing big hits in cases of political immoralities like those regarding corruption, and misuse of public resources that are often channelled on non-priority needs of all people. The people, most particularly in the local areas need to raise an alarm, more so to these organizations to enable them to strengthen their role towards improving good governance in Kenya, and in most African countries (Zimmer et al., 2020).

1.7 Research Gap

The concept of Governance has been at the very heart of most scholars in the past years (Healey, 2020; Bouzguenda & Fava, 2019). These scholars have tried to study the governance in various perspectives (organization, government, State, and regime) and its effectiveness in solving the common problems. Various actors are linked to what it will take to improve good governance as Civil Society Organizations (CSOs), government agencies such as Anti-corruption bodies, and the private sector leading as major actors identified by various scholars in the past years (Mlambo et al., 2020). In the commentary of these scholarly works, the word mitigate is frequently used (Kohler & Demancesco, 2020) and most stakeholders that have been called upon, have been always to mitigate the growth and development of corruption. The focus is on corruption because it has been identified as the greatest impediment to good governance especially in the public and the private sector (Kervalishvili, 2022; Bahoo, 2020; Alan, 2021). Besides corruption, multiparty politics practiced based on ethnic formations is another impediment to good governance (Kirwa, 2018; Etyang, 2021).

From all the scholarly literatures, role of people in ending corruption has not been identified effectively. The paper therefore identifies this as a gap. The paper thus, presents a believe and an assumption that if only the people can be identified as the most principal actors in the fights against all the factors that hinders nations from realizing good governance (Corruption, ethnic multiparty politics and even punitive laws which serve interests of the political elite) then, every nation will be at the right track of ending corruption. This will be a good step instead of massaging corruption with nice words like mitigation, reducing and avoiding risks associated.
2.0 THEORETICAL FRAMEWORK

The paper used constitutionalism, stewardship, participative leadership alongside the concept of civil service organization theories to explain the role of citizens in promoting good governance.

2.1 Constitutionalism Theory

According to Aristotle, mixed constitution containing both the Monarchs, aristocratic and the democratic elements is preferred in the formation of government (Pifferi, 2019). This paper agrees with Aristotle’s ideology especially on democracy. This paper thus, understands democracy based on how it provides for public participation and enjoyment of individual right of expression in government formation. This, the paper traces in the Kenyan 2010 constitution, Article 10, Clause 2a to on promoting good Governance: “The national values and principles of governance include --(a) patriotism, national unity, sharing and devolution of power, the rule of law, democracy and participation of the people; (b) human dignity, equity, social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalised; (c) good governance, integrity, transparency and accountability; and (d) sustainable development (2010 Kenyan Constitution, Article 10)”

2.2 Stewardship theory

Stewardship theory was first introduced in management literature by Davis, Schoorman, and Donaldson as a criticism of the postulated selfishness and shirking of agents in much of the literature, which in the public sector may be a “terrible caricature (Schillemans & Bjurstrom, 2020). As early as those times, stewardship theory was likened to agent theory because it analyses how to ensure accountability when a task is delegated from a principal to an executive (cite). In as much the two theories posits certain similarities, stewardship theory is unique because it is centered on motivating agents. Subordinates or executives are assumed to be “motivated to act in the best interests of their principals” and they prioritize “pro-organizational, collectivistic behaviours”. The steward simply wants to be a good and loyal steward and will put organizational goals above self-interest (Schillemans et al. 2020).

The theory considers the delegate to be a trustee as they work not for their own interest but rather more, for public interest. In the context of the executive, if the executive as an example of government agency is not working opportunistically but instead, share the same aspirations, goals and public interest as other subordinate ministries, such a branch of government is moving in the right direction of public interest (Schillemans et al., 2020). From the description and prescription of the stewardship theory, it is easier to measure the quality and conditions good stewardship. Moreover, the theory is bent towards fostering good behavior and how the tasks are performed for the benefit of common goal in the organization or in any government agency.

To understand human behavior well, the stewardship theory employs psychological and sociological analysis by making an assumption that intrinsic motivation and collectivism go a long way to explain behaviors. The proponents of this theory (Schillemans et al., 2020, Rouault & Albertini, 2022; Murtaza et al., 2021) believe in self-actualizing of human behavior and, is more focused on service as compared to direct individual interests. In addition, the theory is driven by the higher needs in Maslow’s pyramid, such as self-realization, recognition, achievement, and respect. Stewards, then, are driven by internal motivation to fulfill their mission (Schillemans et al., 2020). In the perspective of leadership, stewardship theory understands servant leaders as
trustees who put their self-interest behind the organizational interests to produce the greater good for all. Moreover, a servant leader is one who believes in the philosophy to serve others as contrasted by the traditional style of leadership that focuses on the strategies that thrive in the interest of shareholders (Murtaza et al., 2021).

While further prescription of leadership who believe in stewardship theory, (Murtaza et al., 2021) comments: “A servant leader is a believer of stewardship theory and has developed such policies for employees that produce greater good for all. Stewardship theory, therefore, helps to understand the underlying mechanism of psychological factors that shape specific behavior of individuals, especially their discretionary behaviors. Servant leaders support and help their employees to achieve different objectives. Basically, a servant leader attempts to infuse this among employees that every employee is a servant-employee who is assumed to serve for the greater good of the organization, society, and the environment. In fact, a servant leader who follows the stewardship concept is expected to inculcate the sense of caring among employees even at a higher level as they infuse among the employees that they need to think and act as stewards. They are encouraged to work for the greater good of the organization and society, despite the fact that one task is officially required or not. More specifically, a servant leader under the philosophy of stewardship has a normative standpoint in building social relations and taking steps to preserve the environment. In this context, a servant leader also transmits this normative standpoint to take care of the organizational assets for the future (Murtaza et al., 2021).

2.3 Participative Leadership theory

According to Wang et al. (2022), participative leadership is a democratic leadership that involves subordinates in organizational decision-making and management, with the aim of effectively enhancing employees’ sense of ownership and actively integrating their personal goals into organizational goals. Therefore, in the daily leadership process, leaders actively implement “participation management” for their subordinates, such as conveying meaningful values, actively organizing reporting and other flexible promotion strategies. As early as 19th century, the American scholar Likert, introduced the concept of participative leadership in his book “A New Model of Management” In his book, the scholar proposed various principles of participative leadership as follows: mutual support principle, the group decision principle and the high standards principle (Wang et al., 2022).

From its conception, the proposers defined participative leadership as one in which leaders ask employees for their opinions before making decisions, delegate decision-making authority to subordinates in practice, and encourage active participation by employees to make decisions together. Also, the scholar identified that Participative leadership is also characterized in practice by the following features: first, in the process of employee participation in decision-making, leaders and subordinates are on an equal footing and trust each other completely, and organizational issues are resolved through democratic consultation. Second, in general, although participative management involves a wide range of employees in decision-making, the final decision is still made by the leaders (Wang et al., 2022).

Huang et al. (2014) also explored participative leadership in-depth and argued that participative leadership requires more encouragement and support for employees in the decision-making process and sharing of information and ideas, which has been recognized by many scholars (Lam et al., 2015; Li et al., 2018). It is easy to see that the core of participative leadership is to encourage
employees to participate in organizational decision-making, and the key to the leadership process is to make a series of management tasks such as consulting employees before making decisions (Benoliel & Somech, 2014). Thus, based on many previous studies and practical experience, we consider participative leadership as a set of leadership behaviors that promote subordinates to participate in decision-making by giving them a certain degree of discretionary powers, effective information and other resources, as well as care and encouragement, so that they can be consulted enough before making decisions to solve work problems together (Chan, 2019).

2.4 Civil Society Organizations

The concept has been used to mean all the institutions, both local, international, and private sectors that are important in uniting and connecting the State, Governance, and the Family (Marchetti & Tocci, 2020). This therefore consists of all the government agencies, institutions, business donors, private sectors, and transparency organizations among others whose main intention is to work intimately with the leadership of a State to urge the needs of the larger population. The paper has thus recognized that the combined efforts of the citizens and the civil service organization can be impactful in promoting good government that is concerned with the interest of the general public, a government built upon the normative values proposed by Aristotle.

3.0 METHODOLOGY

Qualitative research design was articulated in the quest for gathering theoretical data in this research. Various scholarly articles, periodicals, and journals were reviewed to gather credible and reliable information to support its central argument that citizens have a role to play in promoting good governance in Kenya. Since this research used a historical perspective, the paper has therefore depended on the research literature ranging from 2014 to 2024.

4.0 FINDINGS AND DISCUSSION

This research has discovered various perspectives of governance, but, most specifically, it has used the history and development of the constitutions to lay a convincing and firm foundation on how the people of Kenya have often tried to govern themselves through the rule of law and via the efforts of the civil service organizations. The paper has thus found that most pieces of literature reviewed in this paper agree that though there are appreciated efforts to achieve good governance, the involvement of citizens has not been that much appreciated. This is because, from history, citizens are always left behind, only enjoying “involvement” through political manipulations, incitement, and abuse. This kind of “participation” has always been for the benefit of a few political leaders, hailing from various ethnic communities. Hence, a challenge for the fulfillment of good governance especially in nations where there is political dominance and in which laws have turns their back from serving the people to serving the interests of the political class.

This research shows that the high rate of ethnicity has contributed a lot to impeding good governance in Kenya. From the eve of Kenyan independence, ethnicity has been the basis at which the political parties are formed, and this unfortunate reality has therefore divided the people of Kenya a long ethnic line, hence, not working in unity as Kenyans to improve their governance. Kenyans have often considered politicians from their ethnic backgrounds to occupy various positions of leadership every five years of elections in Kenya. The finer points of governance based on ideology are no longer given priority by the Kenyan voters, hence, making the aspirants or any other person who may have clarity of ideas to recoil themselves within their small homes. The
ripple negative impact of this remain evident as Kenya becomes and will remain vulnerable to
misleaders with a misleading ideology. This is to say, negative ethnicity has made citizens vote for
unqualified men and women who upon ascending to office, have no idea of what they are required
to do to improve good governance in Kenya.

This study has appreciated the 2010 constitution of Kenya, which in many of its articles, has been
costumeized to improve good governance in Kenya. The first Article in the constitution has
rendered all the powers and responsibilities to the people of Kenya and all the other constitutional
stipulations have been inextricably connected to serve the people of Kenya equally in their
diversities. The provisions in the Preamble and Article One as read by internal clauses are the
foundational principle of the roles of the roles of people in promoting good governance in Kenya.
However, in as much the constitution has addressed the social, economic, and political needs of
Kenyans, the provisions of the constitution have not been acutely and entirely implemented well.
This is in a manner that is satisfactory to serve the general needs of the people of Kenya. The
political system in Kenya has on many occasions, instead of implementing all the Articles as read
by their clauses, to positively impact the people of Kenya, the political class and some institutions
have however, misused and misinterpreted the constitution for self-interests other than the interest
of the people of Kenya. The people with whom the constitutional powers and authorities
is derived, have not come out in their totality to oppose the misuse of the constitution for the benefit of a few
interests of people, most cases the political elite.

Good governance needs an equal contribution of citizens, civil society organizations, and political
goodwill to enable the country to have a governance system that is very responsible to everyone
equally in all parts of the country. One day, when the history of Kenya is written, it should not only
be history that is taught in a class setting but, it should be a history that will confirm that Kenyans
have delivered themselves from political manipulations and they can reason with every idea for
their good. The idea here must be an idea with clarity of how to start and end its claimed objectives.

5.0 CONCLUSION AND RECOMMENDATIONS

Kenya has had various efforts towards achieving good governance, governance that is concerned
with achieving the aspirations of the Founding Fathers, which are love, peace, and unity, and
aiming to realize the needs of Kenyans in diversity. The development of this governance is eminent
and connectedly relates to the constitutional development from the first independent institution,
the 1964 constitution, and eventually the 2010 constitution. These developments have always
involved political activities from pre-independence in 1962 when the major political parties,
KANU and KADU attended the Lancaster House Conference, which ultimately agitated the
attainment of independence. These historical political activities are characterized by formations of
multiparty politics with a keen focus on ethnic incorporation. The many ethnically based political
parties have always led to the development of ethnic-based political leaders who have most often
succeeded in manipulating, inciting and ultimately controlling the ethnic communities towards
their political interests. This political history has therefore confirmed that Kenyans, however much
the efforts towards achieving good governance may be appreciated, citizens have taken the least
positions and roles in government activities and political formations.

The 2010 constitution of Kenya has echoed through various Articles the need to promote good
governance, by giving Kenyans the opportunity to be the bearers of the political and constitutional
powers in Article 1 of the constitution of Kenya. Chapter Six of the Kenyan constitution vividly
stipulates the characteristics and qualities of the kind of governance the people of Kenya anticipate, a governance that is selfless and people’s interests are the main concerns of the leaders. Article 73 Clause 2c reads, “selfless service based solely on the public interest, demonstrated by (i) honesty in the execution of public duties; and (ii) the declaration of any personal interest that may conflict with public duties; (d) accountability to the public for decisions and actions; and (e) discipline and commitment in service to the people.” This type of governance conceived in the constitution has not been implemented well. The people of Kenya in their totality have not demanded this kind of governance from their elected leaders until the leaders have had a culture of mistreating electorates because citizens are silent and don’t care anyway.

6.0 RECOMMENDATIONS

i. A good government is achievable in Kenya but it requires the combined efforts of all Kenyans. Both in local and urban areas, people must first tame the culture of being manipulated and controlled by their political parties and politicians. The people should embrace a culture of reasoning with their leaders to enable them realize envisaged good governance.

ii. Good governance is achievable if the people of Kenya, irrespective of their diversity, agitate the implementation of the 2010 constitution, most particularly Chapter Six on integrity. This, the people can do if they wake up and tame corruption, becoming watchdogs on how their public resources are used. Furthermore, the people should also report any case of corruption amongst them to the relevant authorities. Still on corruption, the people of Kenya should work closely with the Public Organizations, more so, the public integrity institutions; EACC, DPP, NCIC, and Criminal bodies to identify politicians with serious and minor corrupt allegations, stop them from vying for any position until their cases are heard and determined.

iii. Good governance presupposes that the citizens are involved in decision-making, policy formulation, and all the activities of the State. Most often, citizen involvement has been very low, therefore, the citizens should invite themselves going forward to contribute equally in formulating policies and laws and in driving the political parties toward the side of people’s interest.

iv. Multipartyism in the context in which it is applied in Kenya is a threat to good governance, as it allows the ethnic-based politicians to take control of their ethnic communities in a manner only beneficial to politician’s interests. The people should seek clarity of ideas and reason before the participation of the people in a particular political party.

v. Kenyans should make effort to rewrite their political history to be one which will one day have its say, but it will not be a history that is taught in class settings, but a history that will confirm that Kenyans are free from political manipulations and control, and reason with every political, social, and economic ideology for their good.

vi. Therefore, Kenyans must withdraw from ethnic considerations and redeem themselves from forming ethnic-based political parties, and have a united Country guided by the aspiration of the founding fathers; love, peace, and unity working together to defeat poverty, ignorance, and diseases. The unity of Kenyans must not be left in the hands of thirsty politicians, but Kenyans in their diversity should unite before, during, and after
elections to unanimously agitate for the kind of leadership they want in Kenya, leadership with ideologies that have clarity from the start until the end of its objectives.

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REFERENCES


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