

**THE EFFECTS OF REFORMS ON WELFARE OF ASSISTANT CHIEFS IN
EMUHAYA DISTRICT, VIHIGA COUNTY**

BY

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**A RESEARCH REPORT SUBMITTED IN PARTIAL FULFILLMENT OF THE
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ABSTRACT

Reforms in the Provincial Administration have been very critical for the sound development of Kenya. Assistant Chiefs operated under the Chief's Act which vested undue powers on them. These powers were either detrimental to the people in terms of freedom of speech or was positive towards the development of the community. Coordination of government activities as well as maintenance of law and order at the community level made the Assistant Chiefs very powerful. Denying them such privileges through reforms could affect their welfare, performance and morale. In spite of the reforms, a service to the public by the Assistant Chiefs needs to continue even though their attitude toward such reforms is not known in Emuhaya District. The purpose of this study therefore was to evaluate the effects of reforms on the welfare of Assistant Chiefs in Emuhaya District. Specifically, the study aimed to identify the major reforms affecting the welfare of Assistant Chiefs in Emuhaya District, to assess the effects of the reforms on the welfare of Assistant Chiefs in Emuhaya District and to determine the attitude of the Assistant Chiefs towards the reforms taking place within Emuhaya District. The study was guided by Theory of Bureaucracy development by Max Weber (1947). The study comprised of fifty (50) Assistant Chiefs from the entire Emuhaya District. Saturated sampling technique was used to select all the participants. The study adopted cross-sectional survey design, combining both qualitative and quantitative approaches. The quantitative data was obtained through administering questionnaires. Qualitative data was attained by means of Focus Group Discussions. Quantitative data was analyzed manually owing to the smaller number of respondent for the study that is fifty (50) Assistant Chiefs and presented in descriptive statistics using frequency tables, bar graphs, percentages and charts. Qualitative data from focus group discussion was analyzed using content analysis, which involved identifying recurring themes. Primary data was collected using interview schedule. The study found out that government reforms in Provincial Administration Department were not adequate in meeting the demands or welfare. Assistant Chiefs expressed fear of loss of job due to restructuring in the administration, insufficient commuter allowances that facilitate the reforms and rigid bureaucratic structures. Further, the study found out that after the reforms there have been several negative effects, for instance, salary that Chiefs and their Assistants receive do not tally with the work they do; there are no avenues for addressing grievances hence resorting to demonstration; personal insecurity when executing duties and lack of trust in government as far as assistant chiefs job security is concerned. Assistant Chiefs and their seniors in Kenya currently 2011-2012 under Coalition Government resort to demonstrations to address their grievances. The study *recommends that the ordinary citizens should be allowed to petition parliament directly so that when MPs refuse to pass good laws the people have alternatives.* Further, members of parliament should be required to reside in their constituencies where they can directly address grievances from their constituencies. The administration or any one in authority, who acts contrary to the law, should be impeached. Impeachment proceedings in parliament should be public. Finally, the study recommends that more allowances should be allocated to the chiefs. This is because chiefs deal with diverse emergencies at the grass root level where by the government do not recognize as of importance.

CHAPTER ONE

1.0 INTRODUCTION

1.1 Background of the Study

The Provincial Administration was established by the colonial authorities as an instrument of the state whose activities include general representation of the authority of the executive at the local level, coordination of government activities in the field, and chairing a number of committees at the local level. During the colonial period, the Provincial Administration was used to suppress any form of political opposition and thus maintenance of law and order became its major preoccupation (*Oyugi, 1994*). After independence, President Kenyatta strengthened the Provincial Administration as a coercive institution having killed a federal structure in order to gain firm control over any political threat to his government (*Orvis, 2006*). The consolidation of powers entrenched by Kenya's post-colonial rulers has been blamed for the deterioration of ethical standards in the public service especially the Provincial Administration (Mbai, 2003) and Assistant Chiefs are not exception.

The Chiefs' authority Act established in 24th March 1937 empowered Assistant Chiefs within the Office of the President under the Provincial Administration and forms an integral part of the central government bureaucracy. The Provincial Administration system divided Kenya into eight administrative provinces: Nairobi, Central, Nyanza, Western, Rift Valley, Eastern, North Eastern and Coast. Each province is divided into districts, district into divisions, and divisions into location and sub-locations. Provincial Commissioners headed provinces while District Commissioners head districts. All were and are still presidential appointees (Republic of Kenya: Constitution, 2001).

The locations and sub-locations are headed by the Chiefs and Assistant Chiefs respectively. The role of Assistant Chiefs in our society can be traced as far back as the colonial period. Backed by the Chiefs Act of 1967, traditional leaders are responsible for among other things, settling customary disputes, connecting residents to district assemblies, acting as gatekeepers for their subjects and championing local development.

Assistant Chiefs role has therefore been part of government machinery and continues to play a crucial role in development administration even more with the decentralization programme. Assistant Chiefs are able to mobilize communities to initiate and implement community projects. However, with the advent of multiparty democracy, the country has witnessed a number of wrangles in chieftaincy succession which has seen subjects being divided which could have an impact on their contribution to community development. On the other hand, some Assistant Chiefs have been practicing partisan politics under the pretext of “supporting the government of the day” which has also not been taken in well by other communication mass media. The way Provincial Administration have been operating could be explained by use Max Weber Theory of bureaucracy where it describe different types of legitimate authority including, Rational legal authority whereby acceptance arises out of the office or position or the person in authority and bounded by rules and procedures of an organization (Cole, 2004). The Public Order Act (Cap. 56), a colonial inheritance, required that all public meetings be licensed by a District Commissioner (Ndegwa, 1998). At the local level, application of this law was capricious and political. For instance, MPs who opposed the Kenya African National Union (KANU) government’s policies had difficulties obtaining licenses.

On many occasions, the Assistant Chiefs issued licenses to vocal MPs only to embarrass them by holding parallel meetings (barazas) in their location as a ploy to denounce MPs development agenda (Throup, 1993). Through other legislative measures, the Assistant Chiefs were also empowered to organize and supervise electoral processes. These powers allowed the Provincial Administration through the Assistant Chiefs as the lowest hierarchy within the Provincial Administration to restrict voter registration in some areas and also restrict the political activities of dissident MPs (Orvis, 2006; Throup, 1993). Ndegwa (1998) asserts that in the days leading to the 1992 elections, “of the twenty one meetings cancelled or denied, all but one were opposition party meetings”. The Assistant Chiefs and the Provincial Administration fraternity therefore, steadily accumulated resources with a corresponding erosion of powers and responsibilities for the elected official. Such enormous power when denied or deprived off may lead to non-performance or negative attitude. Kenya’s transition, and prospects of development, hinge to a great extent on the country’s ability to guarantee security within her borders.

This is a goal that the Coalition Government is committed to attain. It is also a goal that many Kenyan's are longing for. In this regard, the Coalition Government has made some important steps. The forgoing suggests that the reforms in the Provincial Administration and the government operations may have some impact on assistant chiefs' attitude towards delivery of services. The study will strive to address some of these concerns through assessing the effects of these reforms on the welfare of Assistant Chiefs in Emuhaya District.

1.2 Statement of the Problem

Reforms in Provincial Administration have been very critical for the sound development of the country. Assistant Chiefs operated under the Chiefs Act which vested undue powers to them that were either detrimental to the society in terms of freedom of speech or was positive towards the development of the community. Coordination of government activities as well as maintenance of law and order at the community level made the Assistant Chiefs very powerful thus denying them such privileges through reforms may affect their performance, morale and welfare. Aketch (2010) states that the Provincial Administration exercised upward accountability as they served at the pleasure of the President, a trend the executive exploited to suppress those opposed to its policies and programmes. According to the Constitution of Kenya 2010, the functions vested in the County Governments are a replica of the current function performed by the Provincial Administration. This may be viewed as abolishing the functions of Assistant Chiefs and thus leaving them redundant. Mbai (2003) highlights some of the reforms required if the Provincial Administration is to be retained such as the capacity building for PA officials to aid them in enforcing central government policies while at the same time respecting the institutional integrity of county governments, towards enhancing intergovernmental relations between the two levels of government. In view of the above, there was need for a study to the effects of reforms on Assistant Chiefs welfare in Emuhaya District due to absence of information regarding the attitude of Assistant Chiefs toward reforms which are being undertaken by the government.

1.3 Objectives of the Study

The overall objectives of this study were to evaluate the effects of reforms on the welfare of Assistant Chiefs in Emuhaya District.

Specifically the study intended:

1. To enumerate the major reforms affecting the welfare of Assistant Chiefs in Emuhaya District
2. To assess the effects of the reforms on the welfare of Assistant Chiefs in Emuhaya District.
3. To find out the attitude of the Assistant Chiefs towards the reforms taking place within the Government in Emuhaya District.

1.4 Research Questions

The study was guided by the following research questions based on the specific objectives:

1. What are the major reforms affecting the welfare of Assistant Chiefs in Emuhaya District?
2. What are the effects of reforms on the welfare of Assistant Chiefs in Emuhaya District?
3. What is the attitude of the Assistant Chiefs towards reforms within the Government in Emuhaya District?

1.5 Justification

The survey may make a contribution to the Office of the President, Provincial Administration in the understanding of the attitude of the Assistant Chiefs on the Provincial Administration reforms and how it affects their welfare. It may also assist the Provincial Administration in Kenya to carry out a similar survey to ascertain the factors influencing the attitudes of uniformed officers towards reforms. It may further reveal to the District Commissioner Office, Emuhaya and their areas of weakness for further improvement. The government may find this study useful in understanding the problems facing the Provincial Administration and change their policies towards the welfare of the uniformed forces.

The District was selected because there has been serious allegation of discrepancies regarding the implementation of the reforms in the Provincial Administration. Moreover, there has been a sluggish rate of the dispensation of security within the District despite the incentives and training of the officers in Emuhaya District. The study is therefore a representation of other Districts in the country whose officers have doubtful attitude towards reforms. The focus of the study is to determine the effects of reforms on the welfare of Assistant Chiefs and their attitude within the Provincial Administration in Emuhaya District. The study was carried out between 2011- 2012 when the Coalition Government was in power in Kenya. The specific reforms which the study was centered on included; retraining and reorientation of all administrative officers assistant chiefs included, institutionalization of performance contract in public service, introduction of service delivery charters, new scheme of service for administrative officers and introduction of welfare system.

1.6 Scope and Limitation

The survey was conducted in the Office of the President, Emuhaya District, Vihiga County, covering all the Assistant Chiefs within the District. Due to the small number of participants there was no need for sampling and instead a census of the entire population was adopted.

One major challenge was that the study touched on sensitive administrative issues affecting assistant chiefs' welfare which they may have failed to openly talk about hence this may have affected validity of the data collected. However, the researcher explained to the respondent the importance of the study, build rapport with them which made the respondent open up. They were also assured that whatever they say was confidential and not be used against them.

1.7 Theoretical Framework

The study was guided by theory of bureaucracy developed by *Marx Weber* in 1947. Weber believed that authority in the bureaucratic organizational form was more 'rational' because leaders were recognized and obeyed for subscribing to values of logic, efficiency and reason. Such organizations functioned on the basis of 'legitimately' derived laws, rules and regulations. And laws, rules and regulations derived their legitimacy from the consistent, disciplined, rationalized and methodical calculation of optimum means to given ends.

Weber posited that bureaucratic actions are typically oriented towards solving problems and that bureaucratic decision-making was guided by the objective of efficiency, calculability and predictability (Jain, 2004)

Consequently, decisions were more rational because they were made 'without regard to persons', i.e. were immune to personal, irrational, and emotional aspects.

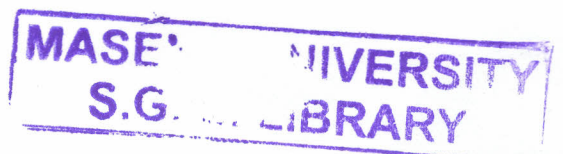
Weber identified three key features of bureaucratic organizations. Firstly, they had a formal and unambiguous hierarchical structure of power and authority. Secondly, they had an elaborate, rationally derived and systematic division of labour. Thirdly, they were governed by a set of general, formal, explicit, exhaustive and largely stable rules that were impersonally applied in decision-making; moreover, all decisions and communications were recorded in permanent files and such records were used to refine existing rules and derive new ones (Burns & Stalker, 1961).

Additionally, Weber also noted that they entailed a separation of personal from official property, and that bureaucrats were usually selected on the basis of their qualifications (and not nepotism), and were appointed (not elected), and were compensated via a salary.

According to Weber, the goal of bureaucracy was to maximize efficiency. He posited that bureaucracy were technically efficient instruments of administration because their institutionalized rules and regulations enabled all employees to learn to perform their duties optimally (Jain, 2004). However, Weber did criticize bureaucracy for its tendency to impose excessive controls on employees, putting them into what he termed an 'iron cage'. He also lamented that bureaucracies could become more powerful than society, and become an end to them, instead of a means for serving society. Although Weber was largely positive about bureaucracy, several scholars have criticized various aspects of this organizational form (Selznick, 1949; Jain, 2004).

Although Weber was largely positive about bureaucracy, scholars have criticized various aspects of this organizational form. For instance, Selznick (1994) discovered the phenomenon of 'sub optimization' in bureaucracies; for example delegation of authority resulted in organizational sub-units pursuing goals that were different from the stated goals of the organization as a whole.

Burns and Stalker (1091) observed that highly bureaucratic organizations were resistant to change. A prevailing atmosphere of hierarchy, control, efficiency and predictability meant that organization members favoured self-continuity and felt threatened by change. Such organizations, thus, were poor at innovating or at embracing new ideas. Thus, this theory is suited to address the study objectives.



CHAPTER TWO

2.0 LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2.1 Introduction

This section reviewed related literature on the attitude of Assistant Chiefs towards the reforms within the Provincial Administration. It aimed at critically analyzing previous studies, surveys done and identifying the gaps to be addressed. The literature embraces those that are specific to Provincial Administration reforms as well as other related literature.

2.2 Reforms in Provincial Administration

The Reforms in any organization are meant to enhance productivity or service delivery. Some of the reforms in an organization include innovations and structural re-organizations aimed at high productivity. Worldwide, several re-organizations have taken place within organizations administrative structures. For instance, Local Administrations reforms in Cambodia before colonial period, during colonial and after independence did not take away powers of the local administrators and instead they continued to enjoy autonomy and responsible for some functions such as General Administration, Communal order/security, primary schools, tax collection, Cadastral survey, role as the judicial police officers, representing *Khum* before court (Virak, 2005). He further states that even the Cambodian *coup d'etat* in 1970 which changed the political system from a monarchy to an American-backed Republic never transformed the post independent-French style territorial divisions namely; Administrative Regions, Provinces and Districts.

In Greece, Yacinkaya (1986), in his study on the Provincial Administration reforms of the early Tanzimat period as implemented in the kaza of avrethisari argued that the most significant development which occurred in the provinces of the empire lead to the emergence of local a'yan as administrative, military, fiscal rulers. No matter what the significance of the inclusion of the administrative, military, and religious titles in the a'yan class was, the crucial criterion was the possession of wealth. In 2003 it becomes imperative that the institution must be reformed to be in line with the reform agenda of the coalition government which was elected on a platform of reforms.

Provincial Administration initiated and implemented the following key reforms in Kenya;

1. Retraining and reorientation of all administrative officers including all Assistant Chiefs were trained with emphasis on best practices in Government, strategic leadership, human rights integrity and resource management.
2. Institutionalization of performance contract and introduction of performance management instruments such as work plans, service charters, service registers, corruption prevention plans, customer care desks and mechanism for complaints management.
3. Enhanced operational capacity of Administrative Officers through provision of new uniforms and training in public relations and customer focused services and implementation of community policing initiative to enhance policing partnership security.

2.3 The Scheme of Service;

The scheme of service for Assistant Chiefs came into effect in 2006. This was in line with the reform agenda for PA to improve service delivery and boost welfare of the Assistant Chiefs.

2.4 Objective of the Scheme of Service;

1. To provide for well-defined career which will attract, motivate and facilitate retention of suitable qualified Assistant Chiefs.
2. Define job descriptions and specification with clear delineation of duties and responsibilities at all levels to enable officers understand demands and requirement of job.
3. Establish standard of recruitment, training and advancement with the career structure on the basis of knowledge, qualification, merit and ability as reflected in the work performance and results.

The scheme of service established three (3) grades for Assistant Chiefs as follows;

Designation	Job Group
Assistant Chief II	'F'
Assistant Chief I	'G'
Senior Assistant Chief	'H'

In this scheme of service, the recognized qualifications for the post of Assistant Chief are:-

1. KCSE C plain or its equivalent with (c-) in English or Kiswahili.
2. Certificate in Public Administration /Management / Social Work/ Community /Teaching/ Disaster Management or its equivalent from a recognized institution.

In the scheme of service the duties of Assistant Chiefs are clearly stipulated.

2.5 Welfare of Assistant Chiefs;

In the Abraham Maslow theory of hierarchy of needs, human beings are motivated by the desire to satisfy specific group of needs (Cole, 2004). It is from such understanding that the Government in attempt to fulfillment of its obligation under the employment Act 2007, the Constitution of Kenya 2010 and the Code of Regulation (Republic of Kenya, 2006 Revised), to ensure access to quality health care introduced a comprehensive Medical Insurance cover for its employees and their dependants. The scheme was to be administered by National Hospital Insurance Fund (NHIF). The scheme was aimed at bringing relief to civil servants and the discipline forces that had to meet high costs of medical bills from their won limited resources. In the medical scheme there's provision for outpatient and inpatient cover for the Assistant Chiefs and their dependant s where the medical bill is determined by their job group.

In addition, the Government also has provision for Group Personal Accident (GPA) administered by Ministry of Finance.

The Code of Regulation (COR) further, provide relevant legislation applicable on matters of employment and all other human resource management issues such as salaries and advances, transport, housing, medical, leave allowances and compensation for exit from service and terminal benefits. Assistant Chiefs like other civil servants are entitled to these provisions. For instance, commuter allowance/transport is payable to all Assistant Chiefs and pegged on the job group as provided in the scheme of service. In case of any deceased Assistant Chiefs, a contribution of KSh.20, 000 (twenty thousand only) is paid to the family of the deceased to assist in the burial arrangements.

2.6 Gender Mainstreaming;

According to the Constitution of Kenya 2010 Article 10 Sec 232 (1), at least two third of appointed or elected officials should not be of the same gender. It also provide for equal opportunities for appointment, training and advancement at all levels in the public service for men and women. This study was set to find out whether there was gender balance in the district for the Assistant Chiefs in employment and other conditions of work environment.

The Assistant Chiefs in Kenya may also have accumulated wealth before the reforms were in place and therefore may view reforms as depriving them of privileges. The study aimed at filling the information gap by providing evidence based statistics for informed decision making in the district and country as a whole. This called for a study to determine the effects of reforms on the welfare of Assistant Chiefs in Emuhaya District.

2.7 Effects of Reforms on Welfare of Assistant Chiefs

The effects of reforms on the welfare of Assistant Chiefs may be positive or negative. Worldwide, most of the developing countries, which had chiefdoms during colonial period and after their independence, relied on the Assistant Chiefs for implementation of their policies at the grassroots level. Kenya is one such country where the Assistant Chiefs have been very powerful since the colonial period. Previously under the old Constitution, coordination of central government policies and development programmes at the local level was done by the Provincial Administration.

As a department within the Office of the President, the Provincial Administration not only supervised other central government ministries at the province and district levels but also coordinated their programmes and policies, as personal representatives of the president at the local levels. The provincial administrators exercised upward accountability as they “served at the pleasure of the President” (*Akech, 2010:27*). Thus, provincial administrators followed orders of their master(s) without question even when those orders were detrimental to the public interest. This upward accountability mechanism was exploited by the executive to suppress those opposed to its policies and programmes. In the eye of an ordinary Kenyan, the history of the Provincial Administration personifies repression, dictatorship, impunity and authoritarianism.

In churning out, the future role of the Provincial Administration officials as implied in the various sections of the 2010 Constitution, the intriguing question throughout this analysis is; to whom and in what ways will the Provincial Administration officials be accountable? To public administration scholars, administrators are not only subject to answerable to their hierarchical (or intergovernmental political structures) superiors, they are also accountable to the community (*Wilson 1947; Wright, 1990*).

According to Mbai (2003), accountability refers to the notion that public officials should be held responsible for their actions while in office. Politically, accountability seeks to deal with problems of arbitrary exercise of power by those in positions of authority. The fear of arbitrary use of state power in Kenya is epitomized by the retention of the Provincial Administration notwithstanding that it will be restructured.

Given that the functions vested in the County Executive Committee (CEO) under the 2010 Constitution are a replica of the current functions performed by the Provincial Administration, one raging debate has been the relevance of the Provincial Administration in the new governing structure. Although paragraph 17 of the Sixth Schedule of the 2010 Constitution requires that the Provincial Administration be restructured within five years, just how this will be done and what role it will play under a devolved structure remains unclear. Political institutions, whether they exist in laws, norms, traditions or practices that advance some societal values, are creatures of the very society that they seek to shape, influence, protect or control (Pearson, 2004). Although the PA has rightly been accused of being the face of repression, corruption and dictatorship, it must not be lost that it was a creature of the old Constitution that created an imperial presidency whose preoccupation was control and survival. On August 27th 2010, a new Kenya was born following the promulgation of a new Constitution which among other things devolves political, fiscal and administrative powers from the central government to the county governments.

Unlike other countries like Uganda, Ghana, Columbia, and Argentina where the three types of decentralization occurred in leaps and sequentially (Kauzya, 2007; Falleti 2005; Crawford, 2004), the Kenyan cases peculiar in the sense that all the three types of decentralization have occurred at once.

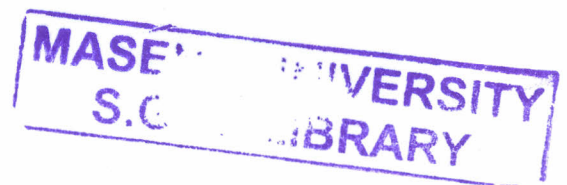
Some of the key objectives of decentralization as spelt out in Article 174 include: “to promote democratic and accountable exercise of power; to give powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of self-governance to the people and enhance the participation of the people in the exercise of the powers of the state in making decisions affecting them; and to facilitate the decentralization of state organs, their functions and services from the capital of Kenya” (Government of Kenya (GOK), Constitution, 2010:113).

From the forgoing discussion, it is evidenced that the Assistant Chiefs had enormous powers which when deprived may affect their performance either positively or negatively. In order to ascertain the effects of reforms on their welfare, the study will provide some insight into their attitude towards these reforms and the resultant effects on welfare.

2.8 The Current Role of a Provincial Administrator in Kenya

According to the 2007 Scheme of service for field administrative officers within the Provincial Administration machinery, their field duties include but are not limited to:

1. Coordination government business, public programmes and activities in the field.
2. Maintenance of law and order.
3. Mobilization of resources for community development
4. Dissemination and interpretation of government policies
5. Coordination of state and official functions
6. Facilitation of counter-terrorism activities, peace building and conflict resolution
7. Management of security agents in the field
8. Promotion of statehood and nationhood
9. Coordinating disaster management and emergency responses
10. Acting on emerging policies
11. Promotion of good governance (GOK – MSPS, 2007).



In Kenya, just like in other jurisdictions with devolved systems, intergovernmental relations are devolution in action: a complex network of day-to-day interrelationships between central and regional governments within a devolved system. It is the political, fiscal, programmatic and administrative processes by which a higher unit of government shares revenues and other resources with lower units of government (*Shafritz, Russell, and Borick, 2007*).

In their current role, Provincial Administrators serve as inter-ministerial liaison in coordinating many of the services cited above. Under the new constitutional order, apart from serving as inter-ministerial liaisons, they could also serve as intergovernmental liaisons for purposes of promoting cooperation and coordination of central government programmes that promote local development needs and foster national unity. The Provincial Administration broad experience as inter-ministerial liaison may prove to be instrumental to future county governors who may not have much experience in running multi-sectoral departments of government. The place and future role of the Provincial Administration is further implied in Article 191 with regard to conflict of laws between the national and county governments (Republic of Kenya – Constitution, 2010:123).

Implementation and enforcement of this Article necessarily implies the presence of a County Governor Agents (CGA) to serve as its ears and eyes just as the Resident District Commissioner (RDC) does in Uganda. The duties of such an administrator as spelled in clause 3 (c) of Article 191 include:

1. Ensuring that national security is not breached;
2. Ensuring economic coherence, protection of markets and free movement of goods and labour across country boundaries;
3. Protection of the environment and promotion of equal opportunity or equal access to government services.

2.9 The Provincial Administration under the new Constitution

Having outlined the administrative role of the Provincial Administration under a devolved system, the oil of intergovernmental relations will be its fiscal structure which is referred to in Chapter 11 of the 2010 Constitution.

Articles 203 and 204 outline an intergovernmental fiscal structure which is based on a mix of transfers and grants. Generally, grants are used to reduce problems created by economic fiscal disparity; to encourage programmes of special national merit; to reduce special problems associated with regional economic decline; and to induce governments toward management reforms as a condition for receiving aid (*Mikesell, 1999*). Beyond simply being a mechanism through which the central government can channel money to county governments given its stronger tax administrative capacity, grants have the added purpose of promoting intergovernmental relations. As is the case in jurisdictions such as the United States of America, grants-in-aid are payments to lower units of government for specified purposes. They are usually subject to supervision and review by the granting government or agency in accordance to prescribed standards and requirements (*Shafritz, Rusell and Borick, 2007*). Where the central government will require the county government to file reports on the use of funds made available to them, the Provincial Administration can play an important role in ensuring that national policies are complied with and enforces accordingly and uniformly. It must be noted that while execution of national policies may be done by (or delegated to) county government bureaucracies, monitoring for uniformity will need to be under the purview of a Provincial Administration. Conflicts between the donor (central government) and the recipient (the county governments) will always exist.

In the new order the proposed structure will be; President, Cabinet Secretary, Principal Secretary, County Commissioner, Resident District Commissioner, Assistant Commissioner, Chief and lastly Assistant Chiefs at the bottom of the hierarchical structure (Office of the President Provincial Administration and Internal Security Draft, August 2010). It is further proposed that the name will be changed to National Administration and will be under the Ministry of State for National Administration and Internal Security. Proponent of the new system based their argument on the presidential circular of 1965, which provide for the executive authority of the president to be exercised in the field by National Administration and their areas of jurisdiction.

The reforms as enshrined in the new constitution and other policy documents directly affects the Assistant Chiefs and therefore it is worthy to conduct a study to determine the effects of reforms on welfare of Assistant Chiefs in Emuhaya District.

CHAPTER THREE

3.0 RESEARCH METHODOLOGY

3.1 Introduction

This chapter tends to empirically investigate the attitude of the Assistant Chiefs towards the reforms within the Provincial Administration by adopting descriptive and inferential statistics.

3.2 Study area

The study was carried out in Emuhaya District which neighbours Butere District to the North, Vihiga District to the West, Kisumu West to the South and Siaya District to the east. It has two divisions; Emuhaya and Luanda, Sixteen locations and fifty sub locations. Emuhaya District covers an area of 173.3 Km² with a total population of 185,069 people (GoK, 2009). The district is generally densely populated with an average density of 1,067 persons per Km². This is mainly attributed to high fertility rate and small holdings. Emuhaya District is generally rural with only one town council at Luanda market. According to 2009 population and housing census, 65% of the Emuhaya District is poor, living below the poverty line (GoK, 2010).

3.3 Study Design

The design of this study was a descriptive survey, on the attitude of the Assistant Chiefs towards the reforms within the Provincial Administration according to (*Mugenda and Mugenda ,2003*), asserts that survey research seeks to obtain information that describes existing phenomenon by asking individuals about their perception, attitudes, behaviour or values.

This type of research is important as it aids the researcher in collecting original data for the purpose of describing a population which is too large to observe directly. The survey enhanced the understanding of various effects, both positive and negative as it will entail obtaining all relevant information from the Assistant Chiefs. The study utilized both quantitative and qualitative research techniques.

3.4 Study Population

Sekaran (2001) defines a population as 'the entire group of people, events or things of interest that the researcher wishes to investigate'. The study targeted fifty (50) Assistant Chiefs in Emuhaya District.

3.5 Sample Size and Sampling Procedure

Emuhaya District consists of fifty sub locations with a total number of fifty assistant chiefs. Thus, sample size consisted of fifty assistant chiefs. Due to the small number of the participant, there was no need for sampling and instead a census of the entire population was adopted.

3.6 Methods and Instruments of Data Collection

3.6.1 Questionnaire

A questionnaire with closed ended and open ended questions was the major data collection instrument used in the study. Leeds (1980), notes that a questionnaire is preferred in data collection because it is easier to administer to a good number of respondents who respond in private settings. A questionnaire is a way of getting data about persons by asking them rather than watching them behave (*Tuckman, 1987*). A questionnaire was used to assess the effects of reforms on welfare of assistant chiefs in Emuhaya District.

3.6.2 Focus Group Discussion

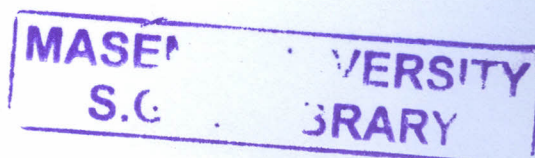
People usually felt comfortable in focus group discussion because it is a form of communication found naturally in most communities (*Mugenda and Mugenda, 2003*). The study utilized three focus group discussions of nine participants each. These discussions were carried out by the researcher as well as the moderator and two note takers were also involved. Focus group schedules served as a reference tool to ensure that discussions were focused towards achieving the objectives of the study.

3.7 Data Analysis and presentation

Qualitative data from focus group discussion was analyzed using content analysis, which involved identifying recurring themes. The process involved going through the whole data collected, sentence by sentence, word by word, identifying recurring themes and coding them (*Ritchie and Lewis, 2003*). Quantitative data was coded and was analyzed manually owing to the smaller number of the respondents that is fifty (50) and was presented by descriptive statistics using frequency tables, bar graphs, percentages and charts.

3.8 Ethical Considerations

In accordance with the laws governing research work in Kenya, the researcher was given an introduction letter by the University, which allowed him to get another letter from the District Commissioner to conduct research in the district. Further, informed consent was obtained from all participants. The respondents were assured of confidentiality. Respect for human privacy and dignity was maintained throughout the data collection and analysis process.



CHAPTER FOUR

4.0 RESULTS

4.1 Introduction

This chapter presents the findings of the study under thematic sub-section in line with study objectives. Before handling the three objects of the study the demographic characteristics of the respondents was tackled for it adds fertility to the subject matter of the study.

4.2 Socio-Demographic Characteristics of Respondents

Demographic information was collected on the level of education, gender, and duration in service. The purpose of demographic information was to portray the nature and characteristics of the respondents and to enable the readers make informed decisions when applying the findings of this study.

4.2.1 Distribution of Respondents by Gender

The respondents were asked to indicate their gender in order to determine the number of male and female assistant chiefs in Emuhaya District. The responses are summarized in Table 4.1 below.

Table 4.1

Gender	Frequency	Percentage
MALE	33	66.0%
FEMALE	17	34.0%
TOTAL	50	100.0%

Source: own computation.

Table 4.1 shows that most (66.0%) of respondents were male and another (34.0%) were female. Variation in the percentages is as a result of the current reforms that advocate for gender equity in all government departments. Currently, though at a slow pace, the Provincial Administration Department incorporates women in various administrative posts to ensure that there is gender equity.

4.2.2 Distribution of Respondents education level

The respondents were asked to indicate their highest education level. They responded as summarized in table 4.2 below

Gender and Education Level

Table 4.2

Gender	Education Level				Total
	EACE	CPE	KCE	KCSE	
Male	3	2	17	11	33
Female	0	1	3	13	17
Total	3	3	20	24	50

Source: Own computation

Table 4.2 above shows that most respondents were holders of KCE certificate of which the majority are male. The female respondents had the highest number under KCSE certificate holders (13) this could be attributed to the recent reforms in the Provincial Administration Department which were recently put in place.

As compared to the old days whereby women were looked down upon and could not be allowed to possess power and rule the power this led to employment of a few women in Provincial Administration Department during KCE education system. Thus, gender empowerment especially to the women through education has led to narrowing the gap between men and women in terms of holding administrative positions.

4.2.3 Distribution of respondents by year (s) in service as Assistant Chiefs

The respondents were asked to indicate their education level. They responded as summarized in table 4.3 below

Gender and Duration (Years) in Service as Assistant Chief

Table 4.3

Gender	Duration (years) in Service as Assistant Chief			Total
	1 Year and Below	2 Years	3 Years and above	
Male	3	10	20	33
Female	3	5	9	17
Total	6	15	29	50

Source: Own computation

Table 4.3 above shows that most (25.0%) of respondents (men) have served more than three years and above compared to women.

4.3 Major reforms affecting the welfare of Assistant Chiefs in Emuhaya District

The first objective of this study was to identify the major reforms affecting the welfare of Assistant Chiefs in Emuhaya District. Under this objective, the study investigated the Assistant Chiefs' awareness on the existence of the reforms and how reforms affect their welfare.

Qualitative analysis of focus group discussions and interviews conducted using semi-structured questionnaire revealed several effects of the reforms affecting the welfare of assistant chiefs in Emuhaya District. There was a general consensus that there were reforms that the government has undertaken in Provincial Administration Department. These major reforms include; introduction of National Hospital Insurance Fund (NHIF), introduction of service charters, introduction of new working and ceremonial uniform and rapid result initiative (R.R.I) to deal with rapid response of illicit brews and drugs. However, there was also a general consensus that government reforms in provincial Administration Department were not adequate in meeting the discussant's demands. Most discussants expressed dissatisfaction with the government's reforms in the Provincial Administration Department.

Emerging issues include; fear of loss of job due to restructuring in the administration, insufficient commuter allowances that facilitate the reforms and rigid bureaucratic structure. The following extracts from discussants illustrate these:-

Yes there are reforms in Provincial Administration department but, the payment does not tally with the work we do. For instance, there are no allowances allocated for emergencies. In fact, the government is eating from our pockets. For instance, if a lost child is picked, he/she is brought to the Chief who feeds the child and caters for other basic needs yet there is no compensation from the government (Female discussant).

Yes there are good reforms but I do feel so bad of the rigid bureaucratic structure whereby I have to follow the orders from the government top officers and my people also expect me to follow their orders, sometimes it is hectic to me. At times when my boss harasses me I feel so bad because I have no time to explain myself (Male discussant).

4.4 Effects of the reforms on the welfare of Assistant Chiefs in Emuhaya District

This was the second objective which sought to assess the effects of reforms on the welfare of the Assistant Chiefs in Emuhaya District. Evidence emerging from both qualitative and quantitative analysis revealed that all discussants were aware and some supported the government reforms in Provincial Administration for supporting such reforms include; improved service delivery, improved positive attitude among members of the public on public service delivery, elimination of gender discrimination, improvement welfare of the staff, and improved transparency and accountability. However, some discussants did not support these reforms reasons being that there is no proper information on how restructuring will be done, fear of losing job, loss of power and low morale of doing job, and respect for chiefs has gone down. These are some of the factors that make the Assistant Chiefs demonstrate on streets. The following extracts from discussants illustrate this:-

Reforms in the Provincial Administration are not good for us, for instance, I am not sure of my job security because there is no proper information on how restructuring will be done in the coming devolution of government this makes me support my fellow colleagues to demonstrate along the streets (Male discussant).

Partly I don't support these reforms because I feel that my job is at risk for instance, the recent issue of the county commissioners have not been addressed properly so what about we 'just chiefs'. I feel so bad about the security of my job. Further, these reforms have led to loss of some powers of Assistant Chiefs hence low morale of doing the job (Female discussant).

The extract above indicates that Assistant Chiefs and Chiefs do not resort to demonstrations because it is a common phenomenon in our country but due to the poor and inadequate information on what the restructuring entails and inadequate explanation of how they will be integrated in the devolved government.

4.5 The attitude of the Assistant Chiefs towards the reforms taking place within the Government in Emuhaya District

This was the third objective which sought to determine the attitude of the Assistant Chiefs towards the reforms taking place within the Government in Emuhaya District. Kenya's new constitution advocated for reforms of which majority of citizens voted for. On the other hand, these reforms have their shortcoming. For instance, during the qualitative analysis, it emerged clearly that majority of the participants do not have a copy and further have not even read the new constitution. Indeed, some of these reforms have negatively impacted on the Provincial Administration docket whereby gender equality is an issue of little debate. For instance, out of 50 participants in the study area, only 34% were female while the majority was male as shown in Fig. 4.1.

Further, during qualitative data analysis it emerged that after the reforms there have been several negative effects for instance, salary the participants receives do not tally with the work they do, there are no avenues for addressing grievances hence resorting to demonstrations, personal insecurity when executing duties and lack of trust in government as far as assistant chiefs job security is concern ed. The following extracts from discussants illustrate this:-

Yes, we have an avenue for addressing our grievances called Kenya Civil Servants Union. This avenue is doing nothing in terms of addressing our grievances in relation to our pay/salary. We are the government and expected not to complain hence we die in silence. Furthermore, the Human Resource Department is so dormant (male discussant).

There are no allowances allocated for emergencies. In fact, the government is eating from our pockets. For instance, if a lost child is picked he/she is brought to the chief who feeds the child and carter for other basic needs yet there is no compensation from the government. Minimum salary for a starting Assistant Chief is KSh.17,000/- p.m. This pay is just peanuts since the community members also invite us for Harambee and other funds drive functions (Female discussant).

From the above extract, it emerges clearly that Assistant Chiefs have negative attitude towards reforms in Provincial Administration. As much as there is avenue for addressing their grievances, assistant chiefs still resort to demonstration in the streets due to reluctance of Kenya Civil Servants Union to act fast enough to address issues affecting the Assistant Chiefs. For instance, issues such as salary increments and allocation of additional allowances for emergencies are being addressed at a slower rate in Provincial Administration.

CHAPTER FIVE

5.0 SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 Introductions

This chapter presents a summary of the discussions, conclusions, recommendations and suggestions for further research from the study.

5.2 Summary

This study established the Assistant Chiefs awareness on the existence of the reforms and how reforms affect their welfare. There was a general consensus that there were reforms that the government has undertaken in Provincial Administration Department. These reforms affected the Assistant Chiefs both positively and negatively. For instance, it was revealed that introduction of new working and ceremonial uniform and rapid result initiative (R.R.I) to deal with rapid response of illicit brews and drugs are some of positive major reforms in Provincial Administration. Whereas, fear of loss of job due to restructuring in the administration, insufficient commuter allowances that facilitate the reforms and rigid bureaucratic structure were some of the negative effects of the reforms in Provincial Administration Department.

In terms of effects of reforms in Provincial Administration Department, it was revealed that all discussants were aware and some supported the government reforms in Provincial Administration Department. Reasons for supporting such reforms included; improved service delivery, positive attitude among members of the public on public service delivery, elimination of gender discrimination, improved welfare of the staff, and improved transparency and accountability.

Members of the public now view Assistant Chiefs as friendly and approachable government officers further women can now led and make decisions in the society due to gender sensitivity in the Provincial Administration. The study also established the reasons that make Assistant Chiefs to resort to demonstrations. This is because some do not support the reforms reasons being that there is no proper information on how restructuring will be done, fear of their job's

security, loss of power and low morale of doing job, and respect for Assistant Chiefs which has gone down in Emuhaya District.

Further, the study revealed that as much as the Kenya's new Constitution advocates for reforms, the issue of chiefs and their assistants were not clearly stated in the constitution. Moreover, the study also established that most Assistant Chiefs in Emuhaya District don not have a copy of the new constitution and did not even get chance to read and understand the new constitution. In addition, the study revealed that there has been several negative effects of reforms in Provincial Administration for instance, salary the participants receives do not tally with the work they do, there are no avenues for addressing grievances hence resorting to demonstrations, personal insecurity when executing duties and lack of trust in government as far as Assistant Chiefs job security is concerned in Emuhaya District.

5.3 CONCLUSION

Rampant demonstration in the country by Assistant Chiefs was closely related to reforms in Provincial Administration. This assertion is strengthened by response given by the respondents question on the main reasons for demonstrations to which the majority attributed to poor reforms in the Provincial Administration docket. This should however not always be the main reason because there are other factors that can be attributed to these demonstrations.

For instance, inadequate supply of the copies of the Kenya's new constitution to the chiefs, lack of will to read the new constitution by the chiefs and their assistants and missing section in the constitution that addresses the position of chiefs in the devolved government could be some of the factors catalyzing chiefs' demonstrations in Kenya. Further, the participants felt that Members of Parliament (MPs) can pass laws that create the reforms that chiefs want. They can amend the constitution since the new constitution was spoilt by amendments and it can be improved by amendments. If MPs are serious about reforms, they should start with the reforms that can be made through bills in the next Parliament.

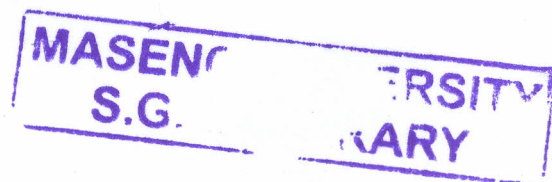
5.4 RECOMMENDATIONS

1. Restructuring of Provincial Administration should be done in accordance with the provisions of the Constitution to avoid the rights of the Administrative Officers being violated and service delivery to the citizen of Kenya not compromised
2. The scheme of service for the Administrative Officers should be streamlined so as to allow an individual to progress from one job group to another without undue delays, and that the number of years in one job group is reduced from three to two years.
3. Pay for Assistant Chiefs should be reviewed continually so as to match with prevailing economic conditions and to be in tandem with acceptable international labour standards.
4. A simplified welfare system for all public servants should be developed and implemented so as to cater for needs of all officers and their dependants.
5. Assistant Chiefs and members of public should be sensitized before restructuring of the Provincial Administration is done to avoid mistrust and suspicion currently witnessed in the service.

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