

Influence of Political Parties' Affiliations on County Assemblies' exercise of Oversight authority over County government in Kenya: A case study of Makueni County Assembly

Shadrack Musyoki Mutisya*, Jeconia Okello Abonyo, Wilberforce Senelwa

¹Directorate of Open and Distance Learning, The School of Entrepreneurship, Procurement and Management, Jomo Kenyatta University of Agriculture and Technology, P.O. Box 62000, Nairobi-Kenya

*Corresponding Author:

Shadrack Musyoki Mutisya

Email: shadrackmusyoki@yahoo.com

Abstract: The new Constitution of Kenya, 2010, created a devolved system of government that has forty seven (47) County Assemblies mandated to oversight County governments. Parliamentary oversight is crucial in espousing accountable and democratic form of governance. Nevertheless, many legislatures are inherently weak in exercising constitutional oversight. Their weakness emanate from the interplay of a variety of factors among them being political parties' affiliations. This study was an empirical analysis of the relationship between political parties' affiliations and County Assemblies' exercise of oversight authority over the County governments in Kenya. The study employed a mixed research design of correlational and descriptive research designs. A sample of 71 respondents was used and 70.4% response rate was attained. It was established that opposition parties or coalitions are relatively weak at influencing County governments' performance. Further, parties disciplinary of non-cooperating MCAs has moderate effect of reducing oversight over County governments and vice versa. The County executives are tempted to control Assemblies when MCAs increase their exercise of oversight mandates. Seventy three percent (73%) of County Assemblies' exercise of oversight can be explained by political parties' affiliations other factors held constant. Simple regression analysis established that a unit increase in political parties' affiliations increases County Assemblies' oversight authority by 0.671. In a nutshell, County Assemblies' oversight ought to be guided by cohesion and affiliation of political parties. Nevertheless, such cohesion ought to be guided by the duty to subject County governments' conduct of public affairs to rigorous oversight and scrutiny.

Keywords: oversight, separation of powers, democracy, political parties, devolution, County governments, Kenya

INTRODUCTION

Political decentralization is one of the components of devolution that encompasses the transfer of legislative powers from centralized national parliaments to regional Assemblies. Globally, there is a curious trend towards favorable adoption of devolved structures of governments with creation of new political entities at the sub-national levels of government with more powers, authority, and resources [1].

Parliaments around the world are considered highest representative organ of government. Over 85% of the global community believes that the will of the people is the basis of the authority of any government [2]. Thus, legislatures are viewed as the single most important representative institutions in government that derive their legitimacy from the public's faith in their ability to exercise mandates efficiently and effectively.

The cardinal functions of parliaments in a democratic setting are law making, oversight on behalf of the people and representing citizens' voices in

development [3]. Oversight, which is the focus of this paper, involves monitoring the activities of the executive arm of government in ensuring accountability. It establishes whether enacted laws, policies and programs are effectively implemented and whether they address problems as originally envisaged. As a result, policies are made in a context that promotes government prudence and probity in the exercise of public duty [4].

Parliamentary oversight over the executive organ takes place in a broad political context. Political parties constitute the chief actors in the exercise of parliamentary oversight [2]. They are the principal vehicles that represent people's interests, framing political choices and forming the basis of the government. Ogul [5] held that parties are among the crucial factors which can either promote or limit the potential for parliamentary oversight.

In practice, legislators primarily rely on their political parties for advice and guidance on the way

they should vote and where their support is expected. However, such parties are most often weakly rooted and facing declining popularity in their societies as citizens do not often hold politicians in high esteem. The conduct of oversight over executive involves struggles and competition as parties tend to oppose one another as long as they are competing for power [6].

Parties' politics and affiliations are considered fluid and subject parliamentary institutions to weaknesses and ineffectiveness in exercising oversight over executive branch [2]. Hudson & Wren [7] noted that oversight mandates are rarely performed with efficiency and effectiveness in the Sub-Saharan African parliaments. The strict control of legislators by their political parties is one of the mostly cited hindrances to the growth of legislative oversight. The executive have the tendency of exercising control over members of their parties by rewarding them with incentives. This undermines legislative oversight when legislators refrain from challenging the government agenda and scrutinizing its operations [8]. The executive have tendency of dominating legislatures in order to balance power in their own favor [9]. This is because they intent to implement their political platform with least obstruction from parliamentary oversight which is perceived as a potential hurdle [6]. The success of parliamentary oversight in a democracy does not only depend on the legislatures' capacity to monitor and scrutinize the operations of the executive but also the executive must be willing to comply with legislative enactments and resolutions [10].

Historically, parliamentary oversight is considered an adversarial function [2]. This is because the exercise of oversight over executives may occasionally generate disputes between the two organs of government thus hampering the collaborative relationship that holds the two arms together. For this reason, oversight of the executive is largely professed to be a purview of the opposition parties and not the legislature as an institution of legislators. Nevertheless, opposition parties are considered ineffective and inefficient in exercising oversight over the executive organ of the government in the legislature.

Kenya is one of the recent countries that have embarked on an ambitious implementation of devolved system of government. The new constitution of Kenya (CoK), 2010 created 47 County Assemblies under articles 1, 3(a), 176(1), 185 and first schedule [11]. County Assemblies are vested with legislative, representative and oversight mandates within their County government jurisdictions. Kenya's devolved system was conceived as a way of departing from centralization of power in the presidency which is mainly cited cause of underdevelopment in Kenya. However, it is fundamentally emerging, though at

rudimentary stages, that County Assemblies' oversight over County governments in Kenya may be at great peril [12].

Makueni County Assembly is one of the 47 County Assemblies established under the new constitution of Kenya. After 2013 general elections, the County governor's party, Muungano party was the minority party in Makueni County Assembly. Just a year into the implementation of the devolved system, the County government plunged into three years of stalemate between the two organs over accountability and implementation of County projects. Regular conflicts precipitated impeachment of the County governor and several Executive Committee Members (ECMs) and who were subsequently reinstated to office by the Courts. The County government was at verge of dissolution and a Commission of inquiry constituted to investigate the matter. The Commission recommended dissolution of the County government citing continued failure and corruption by County government officials.

Makueni County governments was never dissolved. The president sought to protect the County government in exercise of defined Constitutional powers under article 192(2) of the CoK, 2010. The president held that dissolving Makueni County government would set a bad precedence for the newly adopted system of government and the grounds for dissolution did not meet the threshold set by law. However, the nucleus of the dispute emanated from County Assemblies' exercise of oversight authority. Members of the County Assembly (MCAs) that claimed their oversight roles were frustrated by the County executives who were dishonestly overseeing an adversely corrupt regime. These events echo the political lessons that power through the practice of local democracy generates problems [13].

Oversight mandates are exercised in broad political context where political parties seek to oppose one another as long as they compete for power. This study sought to analyze the relationship between political parties' affiliations/cohesion and County Assemblies' exercise of oversight authority over County governments in Kenya. The study also sought to analyze the relationship between political parties' cohesion and County governments' performance. The study is useful to national and county government policy makers, politicians, citizens and other non-state actors in developing policy instruments for strengthening County Assemblies' oversight authority and scrutiny of County governments in Kenya.

RESEARCH METHODOLOGY

This study employed a mixed research design of correlational and descriptive research designs. Mixed methods approach is best suited in understanding

research problem by combining numeric trends from quantitative data and specific details from qualitative data [14]. Descriptive design on the other hand is suitable for gathering descriptive information when the researcher wants to describe the state of affairs as they exist. Correlation design was employed in determining whether, and to what extent, relationship exists between Assemblies' oversight authority and political parties' cohesion [15].

Population of the Study

The population of the study consisted of 48 Members of Makueni County Assembly (MCAs) and 30 Legislative Committee Clerks giving a total of 78. The study population was chosen based on the understanding that they interacted with Makueni County government executives regularly in discharging their day-to-day obligations.

Table 1: Population of the study

Category	Total Population
Legislative Committees Clerks	30
Members of County Assembly	48
Total Population	78

Source: (Human Resources Department, Makueni County Assembly, 2016)

Sample of the Study

To select the sample, participants were stratified into two subcategories; politicians and legislative staff. The political subcategory constituted 48 MCAs and administrative wing had 30 legislative staff. Simple random technique was employed in

selecting a representative sample size from each subcategory. Yamane (1967:886) formula for calculating sample size for small populations (< 10,000) was used; where *n* is the sample size, *N* is population size and *e* is level of precision or sampling error taken at 5%.

Table 2: Sample Size

Category of Population	Total Number	Computed Sample Size
Administrative Staff	30	28
Members of County Assembly	48	43
Sample Size	78	71

Research Instrument

One questionnaire was developed for the collection of data after reviewing literature and previous researches related to the study.

Data Gathering Procedures

After pre-testing the questionnaire, the researcher obtained an introductory letter from graduate program coordination office. Later on, the researcher sought the permission to collect data from Makueni County Assembly. Data were collected through personal visits in which the researcher distributed the questionnaires among MCAs and the staff and subsequently explained the nature and purpose of the study.

Analysis of Data

Data collected were organized, coded, analyzed and summarized accordingly. Different

statistical techniques were employed in analyzing data. Frequency tables and percentages were used for presentation of data.

Simple correlation analysis was used to determine the direction and the strength of the relationship between the dependent variable and independent variable. Simple regression analysis on the other hand was used in determining the predictive power of the independent variables in predicting oversight authority of County Assemblies over the County governments.

RESULTS AND DISCUSSION

Composition of Makueni County Assembly Political Parties

The respondents were required to indicate their political party. Results are tabulated in table 1 below;

Table 3: Composition of Assembly's Political Parties

Party	Frequency (N)	Percent (%)
New Vision Party (NVP)	1	3.7
Orange Democratic Movement (ODM)	1	3.7
WIPER Democratic Movement	13	48.7
Muongano Party	7	25.7
The Independent Party (TIP)	2	13.3
Party of Independent Candidates of Kenya (PICK)	1	3.7
The Labour Party of Kenya (LPK)	1	3.7
Chama Cha Uzalendo (CCU)	1	3.7
Total	27	100

The majority (48.7%) of the MCAs were affiliated to WIPER Party, followed by 25.7% Muungano Party, 13.3% TIP while the other smaller parties constituted 3.7% each. The Wiper Party is the largest party and the official opposition in Makueni County Assembly. Muungano party is the minority party and the ruling party forming the County government since 2013 general elections.

County Assemblies' Exercise of Oversight authority

The respondents were asked to rate Makueni County Assembly exercise of oversight authority over the County government in a scale of 1 to 4 (where 1= Below Average, 2= Average, 3= Above Average, 4= Excellent). The majority (50%) of the respondents rated County Assemblies' exercise of oversight over County governments' operations average, 32% above average, 16% as excellent and 2% below average. According to Stapenhurst (n.d), recent studies have shown that as oversight potential increases, it becomes easier for legislatures to scrutinize and control government and its activities. The average performance of oversight by the County Assemblies depicts inherent weaknesses in overseeing the operations of the County governments. Oversight mandates are rarely performed with efficiency and effectiveness. Indeed, many parliaments are generally considered weak in enforcing oversight over executive organ of the government [2] [7] [8].

Opposition Parties' exercise of Oversight Authority

Respondents were asked to rate the opposition parties' exercise of oversight over County executives in a Scale of 5 where: 1=Below Average, 2= Average, 3= Above Average, 4= Excellent). The majority of the respondents (64%) rated opposition parties' exercise of oversight authority over the County governments average, 24% above average and 12% of the respondents rated it as below average. Karpur [16] argued that opposition parties are relatively weak in generating accountability of the government despite being indispensable in driving government accountability. It is argued that they have a tendency of disputing the credibility of governments and often fail to generate substantive information about government activities in taking the executive to task. Abellera [17]

also argued that Political parties may easily degenerate to vehicles founded on parochial interests.

County Executive dominance of County Assemblies

The study included a statement to establish whether the County executives sought to dominate County Assemblies' exercise of oversight authority. The responses were placed on a five Likert scale ranging from 1 (Strongly disagree) to 5 (Strongly Agree). The majority of the respondents, (38%) agreed to the statement and a further 16% strongly agreed. Twenty eight percent (28%) were neutral while 14% disagreed. Dominance of County assemblies by powerful County executives is against the purpose and spirit of County Assemblies' oversight mandates. Tsekpo & Hudson [3] argued that the interest of the executive arm of government is to pursue their goals with the least objection. As a result, they may be tempted to dominate parliaments in order to balance power to their own favor.

The Governors' support by Political Parties/MCAs

This item was intended to establish whether County governors enjoyed majority support of Assemblies' political parties or MCAs. The majority (50%) of the respondents disagreed that the County governors enjoyed majority support of political parties/MCAs and a further 26% strongly disagreed. Thus, governors lacked the majority support of political parties or MCAs.

Political Parties' threats against uncooperative MCAs

Forty eight per cent (48%) of the respondents agreed that political parties threaten to de-whip MCAs considered uncooperative and a further 24% strongly agreed. As a result, political parties have tendency of maintaining strict party discipline among their MCAs.

Political Parties' affiliations Influence on Oversight Authority

Thirty six per cent (36%) of the respondents agreed that political parties' cohesion has the tendency of weakening County Assemblies' exercise of oversight and a further 12% strongly agreed. This is consistent with Kapur [16] and Corder [18] who argued that legislators rarely cross party lines in support of

legislative business against their political parties' affiliations. Legislators affiliated to government were found to have the tendency of refraining from subjecting the government to rigorous scrutiny. Despite political parties being primary channels for holding government accountable for its performance [6], their balance of power in the execution of legislative business depends on the party majorities or party cohesion [19].

Further, the respondents were requested to choose a statement that described how political parties organized themselves in exercising oversight over County Executive Agencies. Seventy two percent (72%) of the respondents indicated that most often MCAs supported oversight regardless of their political party affiliations or cohesion, 18% indicated that MCAs and parties were disorganized and unpredictable while 10% of the respondents indicated most often MCAs aligned to their parties' interests and voted on that basis. Despite political parties' tendency of instilling party discipline, MCAs exercised oversight over the County executive regardless of their individual party interests. The support of oversight over the County governments by MCAs regardless of specific party interests or affiliations indicates cooperation between both ruling and opposition parties which is an indispensable element of constructive and efficient legislative oversight. Pelizzo [19] indicated that legislators have the responsibility to put the welfare of the people above that of narrow party concerns when they exercise oversight over the executive arm of the government. Thus, political parties' cohesion, both ruling and opposition parties has the effect of promoting County Assemblies oversight authority over County governments.

County Executives Cooperation with County Assemblies

Majority (40%) of the respondents disagreed that County Executives are cooperative and supportive in implementing County government projects and a further 22% strongly disagreed. This finding is consistent with the view that parliaments are perceived by the executive as a potential hurdle when they exercise oversight and scrutiny mandates; thus, the executive may often be tempted to frustrate parliaments seeking to exercise their oversight mandates [3]. CPA (2013) held the view that oversight is commonly misunderstood as a fault-finding exercise intended to embarrass the government; therefore the executives have a tendency not to cooperate. Parliaments are easily relegated to the sidelines by the executive who may choose to withhold information requested by parliament for oversight [20]. As a result, parliaments are often perceived by the executive as overstepping their constitutional mandates in performing their oversight mandate and hindering government from pursuing her development agenda.

Correlation Analysis

Correlation analysis is one of the most useful statistics that defines the degree and type of relationship between two or more variables. It helps to determine the strength of linear relationship between predictor and dependent variables. The absolute values of correlation coefficient (*r*) in the interpretation of results were interpreted as follows; 0.00 -0.19 "very weak" 0.20 -0.39 "weak" 0.40-0.59 "moderate" 0.60-0.79 "strong" and 0.80-1.0 "very strong". The results of correlation analysis are tabulated below;

Table 4: Correlation Analysis for Oversight Authority (OA) and County governments' performance (CGP)

		CGP	OA
CGP	Pearson Correlation	1	-.476
	Sig. (2-tailed)		.000
	N	50	50
OA	Pearson Correlation	-.476	1
	Sig. (2-tailed)	.000	
	N	50	50

The table above shows a moderate negative (inverse) correlation between County Assemblies' exercise of oversight and the County government performance as represented by a correlation factor (*r*) of -.476. The relationship was found to be statistically significant as the significant value was 0.000 which is less than 0.05. It was deduced that increasing one variable in value has a moderate effect of decreasing the other variable i.e. increasing County Assemblies' oversight over the County executive has moderate effect of reducing the County government's performance and vice versa.

County executives' have the tendency of perceiving Assemblies' exercise of oversight in bad faith; as if it is intended to expose and embarrass the County governments. The purpose and spirit of oversight in ensuring accountability and service delivery is moderately limited when the executive act in a manner to control or dominate it. According to Positive Political Theory, people are often directed towards the pursuit of pleasure and the avoidance of pain. Thus, where County executives are likely to have breached the law, they would certainly not cooperate in a scheme to escape from the hook of justice [21].

Table 5: Correlation Analysis for oversight (OA) and County Executive dominance over Assemblies (CECD)

		CECD	CAO
CECD	Pearson Correlation	1	.000
	Sig. (2-tailed)		.714
	N	50	50
OA	Pearson Correlation	.000	1
	Sig. (2-tailed)	.714	
	N	50	50

The study established a strong positive correlation between Assemblies’ exercise of oversight and County governments’ dominance with a correlation (*r*) of .714. The relationship is statistically significant and that increase in one variable is strongly correlated with increase in the second variable. Thus, County executives will most likely be tempted to control or dominate County Assemblies when MCAs increase

their oversight and scrutiny of the County governments’ conduct of public affairs. Similarly, when the County executive increase their control or dominance over the County Assemblies, County Assemblies are likely to increase their oversight since legislators especially from opposition have a tendency of perceiving frustrations arising from compromised oversight as affront to the peoples’ mandates vested with the legislature.

Table 6: Correlation Analysis for Oversight Authority (AO) and political parties’ threats against non-cooperating MCAs (PPT)

		PPT	OA
PPT	Pearson Correlation	1	.002
	Sig. (2-tailed)		-.459
	N	50	50
OA	Pearson Correlation	.002	1
	Sig. (2-tailed)	-.459	
	N	50	50

The researcher also sought to establish the relationship between political parties’ threats against non-cooperating MCAs and its influence on the County Assemblies’ exercise of oversight authority. A moderate negative correlation of -.459 was established. This implies that increasing one variable in value has a moderate effect of decreasing the other variable and vice versa. For instance, Party disciplinary of non-cooperating MCAs has moderate effect of reducing legislative oversight over County governments and vice

versa. Thus, strict control of MCAs by their political parties has moderate effect of reducing Assemblies’ exercise of oversight authority. Nevertheless, MCAs increase of oversight over County executives has moderate effect of reducing political parties’ dominance and control over its MCAs. Ordinarily, legislators are predestined to support oversight and scrutiny of executives to ensure accountability. However, when their powers are dominated by their political parties, this creates rebellion among its Members.

Table 7: Oversight Authority by Opposition Coalition (OOC) and County Government Performance (CGP)

		CEP	OOC
CEP	Pearson Correlation	1	.085
	Sig. (2-tailed)		.558
	N	50	50
OOC	Pearson Correlation	.085	1
	Sig. (2-tailed)	.558	
	N	50	50

Analysis of data showed statistically insignificant correlation between opposition coalition exercise of oversight over County governments performance of delegated power (*r* = 0.085). This is because the significant value was 0.558 which is more than 0.05. This means that there is no statistically significant correlation between two variables as increases or decreases in one variable do not significantly relate to increases or decreases in the other

variable i.e. increases or decreases in the performance of County governments does not significantly relate to increases or decreases of oversight by the opposition political parties. Research has established that opposition parties are relatively weak at generating accountability of the executive [16]. These weaknesses are related to, among others, the failure to generate substantive information in taking the executive to task

and their focus on issues held to have immediate political payoffs and survival.

Regression Analysis

The study further applied general linear model in determining the predictive power of the predictor variable in predicting how political parties’ affiliations influence County Assemblies’ exercise of oversight. This included regression analysis, the Model and

coefficients of the regression. R² explains the percentage of variation in the dependent variable that is explained by the independent variable other factors held constant.

Regression Analysis for Oversight Authority (OA) and Political Parties’ Affiliations

The results of simple regression were done and the model summary is presented in the Table below;

Table 6: Regression Analysis for Oversight Authority (OA) and Political Parties’ Affiliations

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.270 ^a	.73	.754	.11334

a. Predictors: (Constant), Party Affiliations

This analysis shows a relationship between political parties’ affiliations and County Assemblies’ exercise of oversight Authority. R² was 0.73 implying

that 73% of County Assemblies’ oversight can be explained by Political Parties’ affiliations other factors held constant.

Table 7: ANOVA^a Test for Oversight Authority (OA) and Political Parties’ Affiliations

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	4.682	1	4.682	31.778	.002 ^b
	Residual	59.498	48	1.240		
	Total	64.180	49			

a. Dependent Variable: Oversight Authority
b. Predictors: (Constant), Party Affiliations

The significance value is 0.000 which is less than 0.05 thus the model is statistically significant in predicting how Party Affiliations influence Assembly exercise of oversight authority over Makueni County

executive. The F critical at 5% level of significance was 31.778. Since F calculated is greater than the F critical, this shows that the overall model was significant.

Table 8: Beta Coefficients of Makueni Assembly Exercise of Oversight and Political Party Affiliations

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	.520	1.092		5.056	.000
	Party Affiliations	.671	.345	.270	1.944	.058

a. Dependent Variable: Oversight Authority

Simple regression analysis was conducted to determine the extent to which party affiliations influences County Assemblies’ exercise of oversight authority over County governments. As per the SPSS generated in table above, the regression equation is:

$$(Y = \beta_0 + \beta_1 X_1 + \epsilon)$$

$$Y = .520 + .671 X_1 + \epsilon$$

The model established a positive relationship between the predictor variable and County Assemblies’ exercise of oversight authority where Y is oversight Authority and X₁ is Political Parties Affiliations and

0.520 is the co-efficient of intercept. It was deduced that a unit increase in political parties’ affiliations increases County Assemblies’ oversight authority by 0.671.

CONCLUSION

In light of the study findings, it was concluded that political parties’ affiliations have the effect of increasing County Assemblies’ exercise of oversight over County governments in Kenya. Further, opposition parties were found to have weak impact in influencing and enforcing County governments performance of delegated powers. Thus, political parties’ cohesion in promoting County Assemblies’ oversight authority is

crucial in promoting County governments' performance of delegated powers. Nevertheless, political parties' affiliations and cohesion ought to be guided by the obligation to subject County executives' conduct of public affairs to rigorous oversight and scrutiny to ensure service delivery and accountability.

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