

Effect of Public Participation on Local Legislation in Banadir Region, Somalia

Abdikadir Dubow Mohamed, Dr. Felix Kiruthu

School of Humanities and Social Sciences, Department of Public Policy and Administration, Kenyatta University, Kenya

ABSTRACT

Public participation plays an important role in the democratization of countries globally. The accomplishment of public participation process is determined by how well it is organized. This study sought to examine the effects of public participation on local legislation in Banadir region of Somalia. The study was guided by the following objectives, to investigate factors that led to public participation, examine the design of public participation mechanism; investigate the process of public participation and analyze the consequences of public participation. The research will employ a descriptive research design. The study population comprised all the stakeholders including the youth, elders, staff employed by the regional government, the clergy, politicians and the non-governmental organizations involved in public participation in Banadir region. Purposive sampling was done to come up with the sample size of the study. Regarding the variance among the target population, where a number of target population involved, the sample size of this study was 130 respondents. Eighty (80) of the respondents were community members including local politicians, clergies, traders, university lecturers, university students, farmers, chiefs and opinion leaders. Twenty (20) of the participants were management staff and heads of national civil labor departments. Thirty (30) respondents were also from the Local community elders who are engaged in public participation programs in Banadir Region. Both secondary and primary data was accessed for the study. Primary data was collected from the identified stakeholders using the questionnaires, while secondary data was obtained from books and journals from Kenyatta University Post Modern Library. The study used two theories: New public management theory and Cornwall's Theory of Participation that describe the relevance of public participation public development. Data processing and cleaning was done; the descriptive statistics was utilized quantitative data. Statistical tables and graphs was present the result. Content analysis was used to analyze qualitative data. The study found out that the citizen's attitude has an impact on public participation. When citizens have a positive attitude towards the local legislation services, there are high chances they will participate. The study also found out that public participation design and process have an influence on local legislation. Therefore, the study recommends that the government and other stakeholders should come up with various ways of ensuring that all citizens are informed about public participation. The study also recommended that public participation design and process should be improved with the aim of improving public participation.

Key Words: *Public Participation, Local Legislation, Public Policy, Banadir Region, Somalia*

DOI: 10.35942/ijcab.v3iV.74

Cite this Article:

Mohamed, A., & Kiruthu, F. (2019). Effect of Public Participation on Local Legislation in Banadir Region, Somalia. *International Journal of Current Aspects*, 3(V), 305-322. <https://doi.org/10.35942/ijcab.v3iV.74>

1. Introduction

Public participation procedure is important for the democratization process and fulfillment of public needs. It is necessary for training the citizens particularly in regards to government growth programs. This will likely impact positively on both the individual and on community members. Samatar (2005) has observed that public participation in local government in South Africa has been used to adopt diverse public concerns and thus give people the right to engage in decisions that will influence their lives. Chadwick (1971) endeavored to clarify the difficulties in the public participation and the decision-making procedure in United States. He observed that by taking part in the decision-making procedure, the public would end up noticeably perceptive of the critical importance of their incorporation in choosing their desired needs. Similarly, Slocum and Thomas-Slayter (1995) conducted a study in London. In their work; on participation and empowerment, explained that public participation is an approach to build up individual and the public's contributions with respect to the design of public project and programmes, given that public participation would therefore affect the implementation.

Beierle (1998) in his examination of effects of public participation on environmental choices in South Africa contends that public participation is as customary practice, which for instance, uses open discourses, remarks systems and monitory as well as advisory groups. Moreover, public cooperation covers subject juries, interventions, and administrative arrangements. Aside from functioning as a method for preparing individuals and improving their judgement, public participation is likewise basic for conceiving a productive arranging structure because of a superior comprehension of partners' requests and needs that prompt compelling asset superintendence and arranging. This study explored legislation as an act of participating and structuring the development plan that allows the citizens to improve administration and political concerns while promoting accountability and transparency in the professionals' circle as shown in the study by (Lukensmeyer, Goldman & Stern, 2011). This study focused on local legislation in Banadir region, Somalia. To a significant degree, public participation fosters information interchange amongst all the recommended development stakeholders. This incorporates (the government, public, and NGOs) which enhances the common comprehension and compatibility between the interested individuals and bringing about the organization and the advancement getting a charge out of ingrained support (Glass, 1979; Cavric, 2011).

From the local's prospect, involving the public in decision making is considered as a way of enhancing understanding legislations. Citizens are influenced by their involvement in public legislations. In this manner, it is in the subject's interest to decision making process in the legislation, this improves their commitment in public procedures. Moreover, they are able to solve their issues and ensure that the proposed plan reflects desires. Musa (2014) indicated that Somalia has traditional elders who are consulted at all times. This is some kind of skewed public participation where only selected elders are involved. These elders represent all clans living within the locality, and everyone is subject to their jurisdiction. Most of the times these senior citizens are used in conflict resolution and the other main developmental projects. This traditional approach challenges the concept of public participation as enshrined in the Constitution. Nevertheless, the work is important as it informs the proposed study on the traditional system of public participation. Samatar and Waqo (2006) have argued that most African countries had one party state or military rule in the early years of independence, while Somalia had already conducted two successful free and fair elections. It is the only nation in Africa where the president and his predecessor were supported by the state even after they

retired from office. This is not the same in other countries where former leaders were often jailed. The study benefited from this analysis in terms of understanding how public participation was carried out prior to the civil war in Somalia.

Over the years, Somalia was in an anarchy state until 2009 when a Sheikh Shariff was appointed the interim president, and during this, it was hard to have a stable government and there was no Constitution to be followed, and this made it difficult for any public participation to be conducted (Samatar and Waqo 2006). After Sheikh Shariff, President Hassan sheikh was elected by the parliament, and again public input was difficult because of Al-Shabaab insurgency and other security threats. Samatar (1993) explains that all conflicts were caused by the dictatorial nature of Bare's regime where public opinions and public participation was a major problem, and this resulted in the military to resort to unsuccessful coup d'état which crippled the whole country and put it in an anarchy state. It is resolved that public association adequacy may be endangered by the difficulties looked by the public concerning taking in the specialized reports and the entangled arranging issues (Jenkins, 1993). This therefore influence the public's ability to understand the basic leadership technique. The study conducted by Sharman and Bramwell, (1999) in United Kingdom stated that dynamic public engagement is trying to acknowledge if the residents are not uniformly typified about the community projects. They concluded that equal representation alludes to the partners' learning and comprehension of the proposed improvement and planning. There existed the research gap since no study, clearly stated how public participation has influenced decision-making or legislations. However, most scholars conducted their research outside Banadir, Somalia. As such, the study aimed at determining how the public is consulted in legislations by reviewing several methodologies to public participation in Somalia and in particular Banadir region.

2. Statement of the Problem

Public participation in Banadir Region for a long time was restricted to traditional elders. This produced a significant gap in the decision-making process because many elders were not aware that a more significant population was left out. Public participation was an essential requirement for the development. However, public input is accepted for openness to the wishes of the broader population; in particular, the marginalized groups were not benefitting from the policies. Impartiality and social equity are also fundamental beliefs under a democratic government. Somalia for two decades had no fitting strong governmental institutions, this made many democratic rights of the resident such as public participation in the decision-making process to be neglected, and this was provoked by the insecurity situation the country was facing. This study attempted to examine the effect of public participation on the local legislation in Banadir region. It also analyzed how the design and process of public participation affect local legislation in Banadir region and finally analyzed the consequences of public participation on local legislation in Banadir region.

3. Objectives of the study

The objectives of this study were:

1. To investigate factors that led to public participation in local legislation in Banadir region
2. To examine how the design of public participation affected local legislation in Banadir region

3. To investigate how the process of public participation affects local legislation in Banadir region
4. To analyze the consequences of public participation on local legislation in Banadir region

4. Review of Related Literature

There is a consensus among many scholars, that attitude toward local government is a compelling factor in citizen's participation in local government. Some scholars generally agree that a positive attitude toward local government influences citizens' participation in local government matters (Anderson, 2014). As local governments become increasingly significant and important in citizens' everyday lives, the study on public attitude toward local government becomes vital for the success of future local government programs and reforms. According to the study conducted in the United States by Nabatchi and Amsler (2014) indicated that public participation is the social behavior, stating that attitude as a central element in social behavior and argues that attitude is imperative for making a change of behavior. According to the study conducted by Siala (2015) in Nairobi county, people's social actions or their programs are directed by their attitudes. Furthermore, if people's attitude toward an event or an action is positive, it is more likely, that they would divert their behavior in more meaningful ways (Siala, 2015). Similarly, if citizen has a positive attitude towards their local government, it is more likely that they would support the local government initiatives as well as participating more in local government programs. According to Mohammadi *et al.* (2010), Malaysian' citizens tend to participate in local government activities, when they perceive that the local government is providing some benefits for local people or acting in the best interest of local people, and/ or dedicating resources to support matters of importance to the citizens in the exchange relationship between the people and local government. Mohammadi *et al.* (2010), adding that citizens expect mutual interactions with local government and they seek a balance between the social costs of interaction with their local government. They also concluded that to be effective, relationships need to be seen as mutually beneficial, to the parties in question-based on mutual interest. This argument presupposes therefore that people cannot be expected to demonstrate a positive attitude toward local government if they do not perceive that the benefits and costs of local government is not equal.

Kimathi (2016) revealed that there is a linear relationship between citizens' attitude toward local government and their level of participation in the affairs of local government. He also revealed that people with a positive attitude toward local government are more likely to participate in local government affairs and programs. The study outlines that understanding of people's attitudes is one of the central concerns in social life and is relatively crucial in influencing the desired change in the peoples' behavior. Citizen participation in local decision-making and policymaking can also be led by their attitude and perception on their ability to influence government decisions, and limited knowledge of, government. Studies by the World Bank (2009) in Bosnia and Herzegovina established that even though a large number of citizens were not satisfied with their representation in municipal or local authorities' activities, a small minority were willing to participate in such activities. Gaidyte (2015) conducted a study in Europe and stated that trust establishes an individual's willingness and readiness to realize and adopt decisions taken by state authority. He further revealed that political participation and activity depended on the roles and obligations an individual assumes, by taking part in a political organization. He further argues that whether an individual takes part in any processes or activity related to politics is dependent on their motivation. Other political and social researchers

studying the relationship between participation and public trust are not too optimistic. For example, Gaidyte, (2015) in his research concluded, that although in theoretical literature there is some evidence that a close link exists between participation and trust, this link is fragile and fragmentary, and is only evident in particular countries. Đurman, (2015) conducted a study in Croatian local government stated that trust formation in the public sector is influenced by behavioral factors of two main behavioral characteristics of public administrators.

Asatryan and Heinemann, (2017) conducted a study in Europe and concluded that the degree of responsiveness to the poor and the extent to which there is an impact on poverty are determined primarily by the politics of local-central relations and the general regime context, particularly the commitment of central political authorities to service delivery. Asatryan and Heinemann, (2017) point that design of public participation may improve local legislation, but there is no evidence, at least in the Africa context, that this generates better outputs (i.e., services) and outcomes (i.e., measured in terms of social indicators) for the poor. Beierle (1998) conducted a study in South Africa on the effects of public participation in environmental legislation and found out that public participation is an as habitual practice, which for instance, uses open discourses, remarks systems and monitory as well as advisory groups. Ananga and Akiwumi (2016) conducted a study in Kenya on infrastructure and reported that in a study of 121 completed rural water supply projects financed by various agencies, projects with high degree of local participation in project selection and design were more likely to enjoy good maintenance than those with more centralized decision-making later. Public Participation design can also improve efficiency by ensuring better monitoring and verification.

Both economic and political imperatives have given public participation design in Kenya impetus. At the economic level, Public participation design involved creating institutional organs that support improved economic performance. At the political level, Public participation design was seen as a means of conformity to local and international pressures for more participatory development processes. Consequently, Public participation was intended to form the basis of a leaner central government, to strengthen the institutional capacities of local groups and civic organizations, and to increase the responsibility of communities to finance services through local resources. Chikozho (2016) argues that the benefit of the design of public participation in Uganda increased democracy, accountability and responsiveness, and the improved capacity of the local people to participate in the decision-making process, especially about service delivery, and to promote local ownership of the programmes. In Papua New Guinea, devolution increased popular participation in government and improved the planning, management and coordination capacity of provincial administrators. In Senegal and New Zealand, it attempted to bring services nearer to the people (Lafont, 2015). However, despite the discussed benefits, some scholars have raised doubts on the ability of public participation design in bequeathing all the discussed benefits to the populace.

Public Participation process is premised on the fact that lower level units of government have the information necessary to enable better matching of services with citizen preferences. Citizen participation is expected to increase the availability of such information and should thus enhance allocative efficiency. The study conducted by Lafont, (2015) in the US indicated that the Public Participation process has, albeit in a small way, led to increased allocative efficiency. In agreeing with these expectations, the study conducted in Ghana by Owusu, (2016) indicated that there had been a shift on expenditures from vehicles and office equipment to services in health, transport infrastructure, and water. The study conducted in The UK by Roberts (2016) stated that public

participation process lowers the levels of government, which is expected to be more accountable to the citizens by their proximity. Such proximity is also seen as a way of ensuring that citizens can demand accountability and access information necessary to reduce corruption. The evidence provided in a study carried out by Basheka, Oluka, and Mugurusi, (2015) in Uganda shows that there is still limited information accessible to the citizens that would make them play a key role in demanding accountability and controlling corruption. The fact that the central government appoints the chief executive officer (the clerk) and other senior executive officials means that they owe allegiance upwards and are not obligated to account to the citizens.

Further, the Ghana Local Government Act (Cap. 265) gives decision-making power to the full council, and this has been used to justify instances when citizen's preferences as expressed in consultative and consensus meetings are overruled. The past researchers have not found any credible evidence to show how citizen participation process has influenced the reduction of corruption; the secrecy in the operations of the council and especially in the use of resources can only be interpreted as an intention to mismanage public resources. In fact, in conclusion, Owusu (2016) noted that 'inadequate participation of stakeholders in Ghana legislation has created the suspicion that both the councilors and the council staff are in cahoots to mismanage and misappropriate the funds meant for local development.' The dominance of the councilors in the process has been such that they not only decide what projects will be done and how much will be spent on them, but also decide which contractor is given the work. Yet it is the same council that is expected to receive evaluation and audit reports. This lack of separation of powers further points to the potential for increased corruption. Also, as established by Roberts, (2016) cases of 'completed' projects that neither could be physically verified nor were known to the citizens despite evidence that resources allocated to them had been expended show that corruption was predominant.

A critical analysis of public participation about development indicates that public participation has had both positive and negative impacts on development. In the case of Bolivia, Philippines and India (West Bengal), it is evident that public participation has had a positive impact on the realm of local legislation (Henry, 2015). Many more people were interested in the projects around them and therefore projected that would address their immediate needs were prioritized. In these three countries, the process of public participation has generally been supported by sufficient government ability and willingness to carry out reforms, as well as by transparency, participation, and policy coherence. Most of the developing countries adopted their public participation programmes by design. The authorities visibly believed in the process and could shape it. Moreover, the reforms seem to have been inspired by a desire to improve social, economic and political conditions, in the context of measures such as democratization, improved community participation, and poverty reduction. All the three prosperous countries adopted a comprehensive approach, concurrently undertaking political, fiscal, and administrative decentralization. The process went beyond de-concentration to a real delegation of power to lower tiers of government, with support from central government. Similarly, relatively successful decentralization programmes, with an identifiable impact on development, characterize countries such as China, South Africa, Mexico, and Ghana. The process fulfills only some of the criteria for an efficient, sustainable, transparent, participatory, equitable, and coherent process. The official manifesto and/or implicit objective do not specifically involve poverty reduction (Jami & Walsh, 2014).

The public participation programmes in Paraguay, Nepal, Vietnam, Egypt, Sri Lanka, Ethiopia, Burkina Faso, and Uganda are characterized mostly by failure in terms of pro-development outcomes, although in some instances individual regional programmes have resulted in some level of poverty reduction. These countries display either low income combined with a low Gini index (e.g., Uganda, Vietnam) or higher income and a higher Gini index (e.g., Brazil and Paraguay). Thus, this category appears to group examples in which some positive elements cohabit with negative ones (Jami & Walsh, 2014). The negative impact of public participation on development in these countries can be attributed to the fact that these countries are generally unstable, emerging from civil wars or ethnic conflicts or, in some cases, are still affected by political instability. The overriding objective of the decentralization programme is political stability and the maintenance of central control through de-concentration rather than effective devolution. In many cases, public participation policies are aimed at preserving and re-establishing national unity. Being implemented by default, public participation in these countries is not designed for its benefits in terms of democratization, greater responsiveness to local needs and community participation, the three recognized dimensions of poverty reduction. Because of the shortcomings of the public participation process, the countries in this category have not pursued a comprehensive approach to public participation, choosing de-concentration rather than devolution of power.

Guinea, Mozambique, Malawi, India (Andhra-Pradesh) and India (Madyha-Pradesh) share many characteristics with the previous category, but public participation has not shown any pro-poor impacts. The reform process has been flawed. All these countries pursued public participation reforms by default. As countries in the previous category, they are post-conflict economies and thus share similar reform objectives, but they have registered no demonstrable pro-poor outcomes from specific projects that are linked to decentralization (Nabatchi & Amsler, 2014). Public participation, therefore, does not automatically contribute to proper legislation and development. The cited countries that have attempted to decentralize reflect mixed signals in terms of legislation. Indeed, the above review confirms the crucial importance of the country background and the design of the process in shaping the success or failure of pro-development public participation. This leads us to ask; has citizen participation lead to legislation.

5. Theoretical Review

5.1 Cornwall's Theory of Participation

Cornwall's (2002) theory describes participation by considering aspects of space, power, and differences; she argues that participatory spaces can be created in order to allow people to interact and to discuss issues of their concern as well as to perform social responsibilities. These spaces can change from time to time and from one context to another. This could be through the formulation of new laws or amendment of the previous laws or by inviting people to meetings and social clubs. However, power and differences among the people may allow or limit effective participation. This is because participatory spaces gather people from different backgrounds and with different identities. The theory played an imperative role in determining public participation in local legislation in Banadir. The study used Cornwall's theory in determining the level of participation as well as how they have helped to influence local legislation in Banadir and to understand how power and differences within the community have encouraged or discouraged children's participation in public policies.

5.2 New Public Management (NPM)

The term new public management was invented by scholars from Australia and the UK (Hood and Jackson 1991 and Hood 1991), who were operating in the sectors of public administration. Now, the source of this new term was to introduce a fresh point of view towards the organizational perspective in the public sector, nonetheless, after a decade, the meaning of this word in arguments and deliberations became many. Remarkable scholars preferred to interpret it as the initiation of changes in policy-making some used it to refer new institutional economics to public management. The New Public Management that emerged within the 1980s delineates an attempt to form the general public sector additional business like and to boost the potency of the government borrowed concepts and management models from the industry. It emphasized the spatial relation of citizens who were the recipient of the services or customers to the general public sector. The new public management system conjointly projected a new suburbanized management of resources and exploring alternative service delivery models to realize higher results, together with a quasi-market structure wherever public and personal service providers competed with one another in an attempt to produce higher and quicker services. Now, as additional and more work was done in the areas of Human Resources and Relations and accessible texts that stressed on the necessity of excellence, the importance of structure culture, values, vision and therefore the thought of Learning Organization introduced by Senge (2006) influenced the new public management. This theory informs the study in that the ideas of this theory underline the idea of the study in that Public participation is a core factor in the new public management theory.

6. Conceptual Framework

The difficulty of a development pattern attempting to blend economics with social calls needs active citizen involvement in public matters. Public aid indecisiveness about development is crucial to realizing lasting and viable solutions. Contemporary democratic life needs an intense role from the people and needs involvement from members of the population. It should no longer be the fact that those who are administered act only to select and then, whatever the result, is governed without their present possibilities to communicate with their legislators. It is time to add the concept of participation to the idea of elected democracy. Participation changes the democratic system, stimulating it, by producing a stable connection within the administered and those who administer. The collective venture grants increased reasoned decisions (signifying the product of a greater consensus), permits a better comprehension of the problems that preoccupy a society, and allows the two parties to engage cooperatively coming up to potential solutions. Public participation renders government actions to become transparent, effectively avoiding fraudulent behaviors. It also illuminates responsibilities and expedites the final application of sanctions, in a case of reproachable conducts. To develop a participatory democracy, it is imperative to equip citizens with an institutional structure that will allow for productive participation in public matters. After the careful study of literature Review, the following conceptual model is formulated. This is meant to illustrate the relationship between public involvement and administration, the rule of law and decision-making.

Independent Variables

Dependent Variable

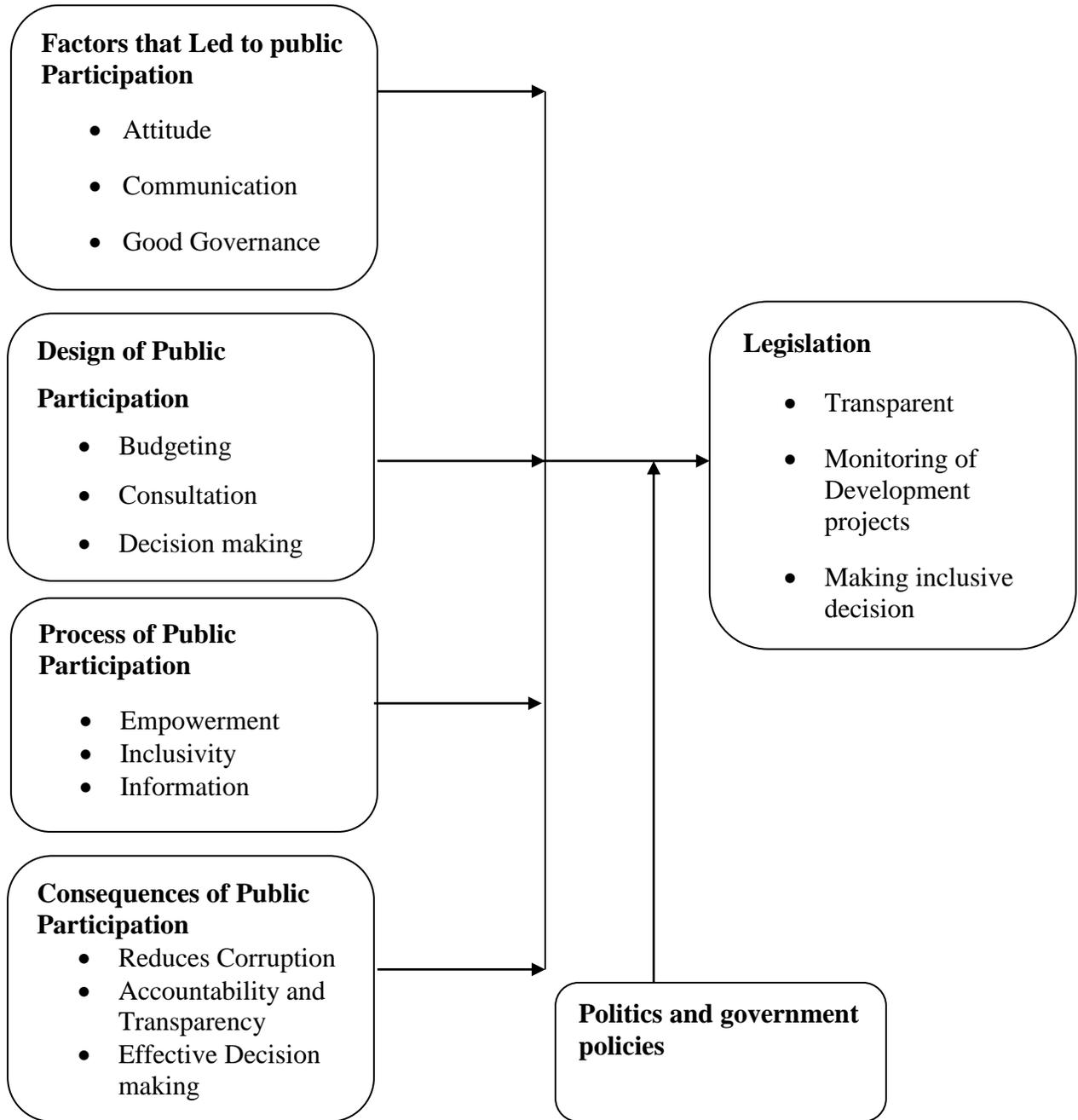


Figure 1 : Conceptual Framework

Source (Researcher 2018)

7. Methodology

The researcher employed a descriptive research design and used this technique because it helped in describing and determining the advantages and challenges of public participation in Banadir Region, Somalia. The study targeted respondents from various categories including local politicians and consultants, civil society associations, national civil labor union, local elders, university lecturers and students and members of Banadir regional administration. This sums up the total populace of the place that is estimated to be 950,700. The method used to pick out participants for the study was "purposive" or "convenience" sampling. This means that the researcher selected those members of the community who provided the researcher with the best information. Regarding the variance among the target population, where a number of target population involved, the sample size of this study was 130 respondents. Eighty (80) of the respondents were community members including local politicians, clergies, traders, university lecturers, university students, farmers, chiefs and opinion leaders. Twenty (20) of the participants were management staff and heads of national civil labor departments. Thirty (30) respondents were also from the Local community elders who are engaged in public participation programs in Banadir Region.

The researcher adopted a mixed method approach. The research instrument that used in the study was a questionnaire and the Key Informant Interview (KII). Questionnaires are most commonly used when respondents can be reached and are willing to cooperate. Data can also be collected from a large sample that can read and write independently and hence it can be free from the interviewer bias (Mugenda & Mugenda, 2003). The questionnaires also yield quantitative data, which is easy to collect and analyze. The study used Key Informant Interviews (KII) for collecting data from leaders of local groups. The participants were required to respond appropriately. The KII was based on the research objectives. A semi-structured questionnaire was used, consisting of open-ended and closed ended questions. Closed-ended questions was only allowed specific type of responses such as Yes or No. Open-ended questions allowed the respondent is to state responses as they wish and hence permit a greater depth of response (Mugenda and Mugenda, 2003). The questionnaires were divided into sections. Section one elicited information about the demographic characteristics of the participants. Sections sought information to answer research questions about the effects of public participation on local legislation in Banadir region, Somalia. The data for this study was collected using structured questionnaires, which was administered to the participants in the Banadir region, Somalia. The questionnaires were distributed to the respondents for filling in and was collected after two days from the day of the distribution in order to give the participants enough time to complete the questionnaires. For secondary data the researcher used journals, Mogadishu reports, articles and internet to get information about local legislation.

The study employed the questionnaires and interview schedule as the major data collection tools. The questionnaires were structured based on the study objective. To do this, structured questionnaires were used; structured questions, when well designed are easy to be administered and gathering data from a various section of study participants within a short period at an affordable rate. This study also utilized interview schedules with face-to-face and open-ended interview questions to collect data from some respondents. Data analysis is the process of packaging collected information in a way that can be understood by the researcher. The researcher evaluated the accuracy and relevance of the data after which the data will be encoded and tabulated. The sample data from the survey was subjected to descriptive statistical data

analysis methods using SPSS. Descriptive characteristics of the participants measured using frequency analysis methods. Quantitative analysis was done through descriptive and inferential statistics as the presentation was done through graphs and tables. Qualitative analysis was done through theme-based analysis. The analyzed data was presented in the form of table's descriptions, frequencies, and percentages. Content analysis was adopted in analyzing qualitative data obtained from Focus groups, documents, and interviews. Content analysis is defined as the process of summarizing verbal or behavioral data with an objective of tabulating or classifying. There are two levels that the researcher used in conducting content analysis these are: manifest and basic levels. A descriptive account of participant's response as well as higher level or latent analysis level.

8. Data Analysis Results

The study sought to determine whether the public is informed of the agenda of the meetings in the municipal council. Majority of the respondents (66.7 percent) agreed that the public is informed of the agenda of the meetings of the municipal council. This boosts the transparency and trust of the public towards the legislation of the municipal council. The study sought to assess the platform through which the public is informed of the agenda of the meeting of the municipal council. The distribution of respondents based on the Communication of Meeting Agenda. The findings show that majority of the respondents that is 60% says that the public is informed of the agenda of the meeting of the municipality through municipality newsletter. The findings also indicate that 10% received the agenda information from other sources. The majority of the respondents (80 percent) says that ordinances decided upon by the municipal council are made available to the public before the meeting. In this case, it can be noted that the council obeys the regulations.

The study sought to determine the way through which ordinances are communicated to the public. The findings are displayed in Figure 1.

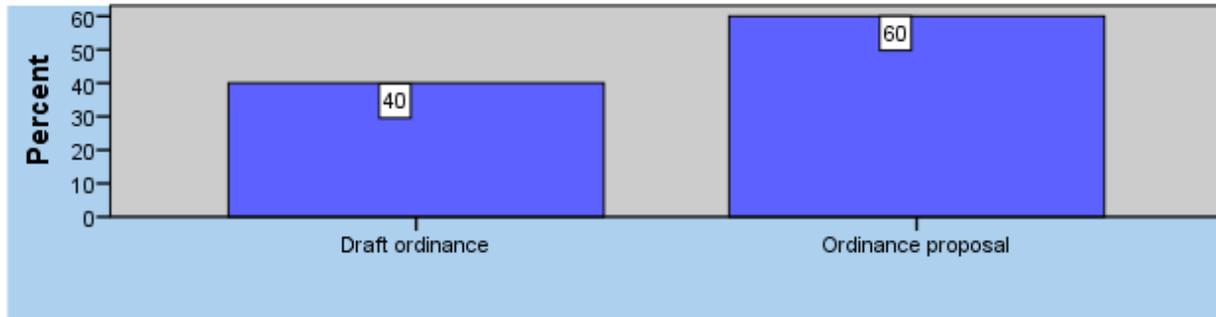
Figure 4.2: Platform of Communicating Ordinances to the Public



Researcher (2018)

The majority (50%) of the respondents indicated that the municipality newsletter is the most popular channel of communication followed by 40% municipality website and 10% others as presented in the Figure above. This implies that municipality newsletter is the most reliable; hence the respondents have all the public participation issues.

The study sought to determine the stage of formulation through which ordinances can be communicated to the public. The findings are as shown in the Figure 2;

Figure 2: Stage of Formulation

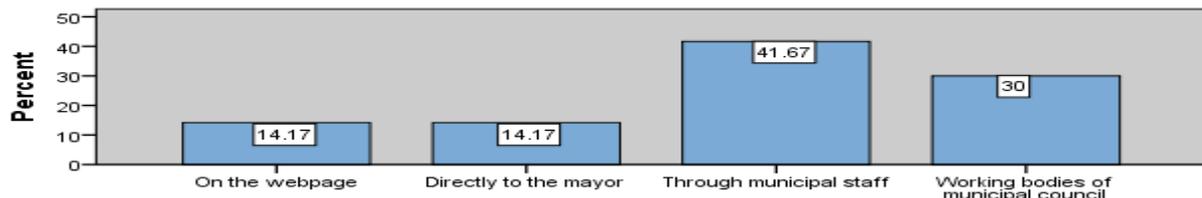
Researcher (2018)

The Figure shows that the majority (60%) of the respondents stated that the stage of the formulation is the ordinance proposal stage while 40% draft ordinance. The study sought to determine the effect of public attitude on public participation. The findings indicated that most (56.8%) respondents believe that public attitude has an impact on public participation while 43.2% think that attitude does not affect participation. This finding concurs with the conclusion made by Anderson, (2014) that found out that positive attitude toward local government influences citizens' participation in a local government matter. The finding is also supported by a study done by Siala, (2015) in Nairobi county revealed that their attitudes direct people' social actions or their programs. The study was done by Kimathi, (2016) in Nairobi concluded that there is a linear relationship between citizens 'attitude toward local government and their level of participation in the affairs of local government.

The study sought to determine whether the public is called upon to make comments on the drafts/proposals of the ordinances. The respondents' distribution based on public comments allowed, whereby the majority (75%) indicated yes while 25% said NO. This implies that the public is called upon to make comments on the drafts/proposals of the ordinances. Through this, transparency and accountability are enhanced. The study sought to determine whether the public was given the opportunity to comment on the materials. Majority of the respondents, 60.8% said that the public is given the opportunity to comment on the materials while 39.2% stated that they had not been given the opportunity. Given the opportunity to make comments gives them an opportunity to exercise their democratic right; hence the council leadership will have to ensure that the community is consulted before making decisions.

The study sought to determine the mechanism through which the public makes its comments on the ordinances. The findings are shown in Figure 3.

Figure 3: Way that Public Makes Its Comments

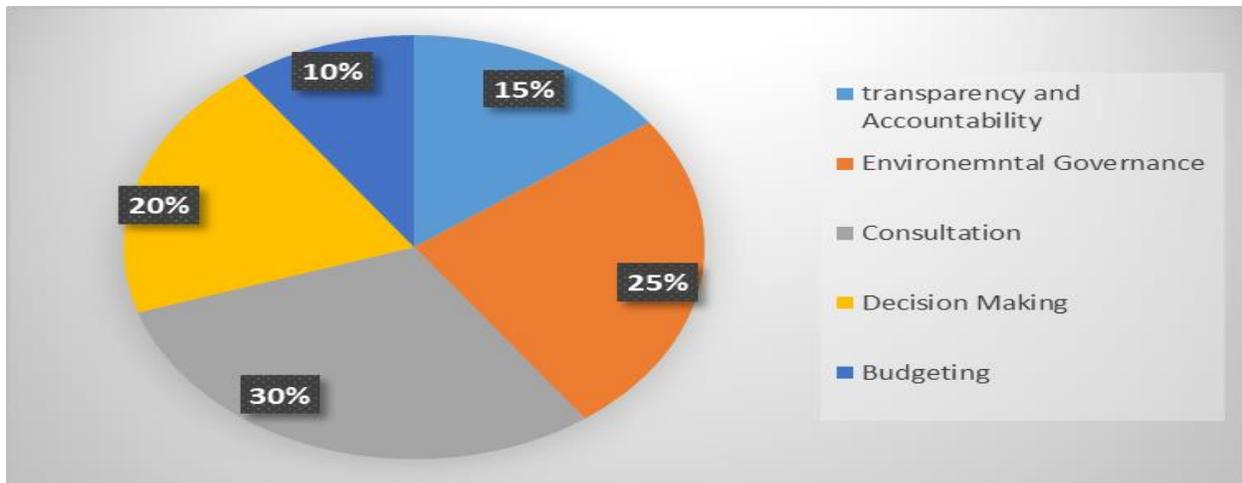


Researcher (2018)

The Table above presents respondents opinion based on the way that the public makes comments. The findings show that majority of the respondents (41.67%) says that the public makes its comments on the ordinances mostly through the municipal staff. This means that the municipal staff is critical in communication between the public and authority. Most of the respondents, 47.5% says that the public is given 30 days that is a month to make comments about the ordinances. From the findings, it sees that at least the public is given enough time to give their responses. This promotes democracy hence public participation. Majority (52.5%) of the respondents said the Public Participation Design affects public participation while 39% said NO.

Respondents were asked to indicate the nature of public participation in Banadir. The findings are as shown below;

Figure 4: Nature of Public Participation Design



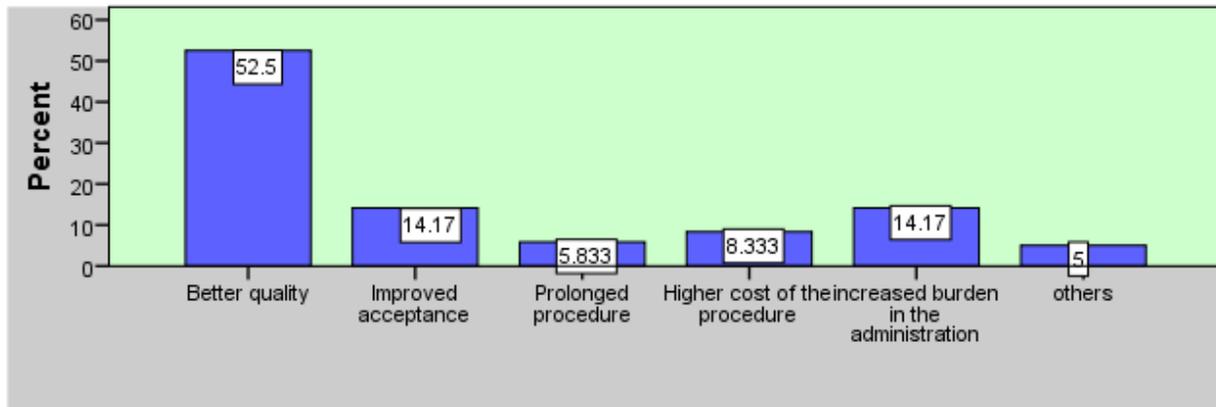
Researcher (2018)

From the Figure above, the majority (30%) indicated that they are mostly involved in consultation, 25% environmental conservation, 20% decision making. The design adopted has played an essential role in making sure that everyone is involved in all development activities and there is no money misused. This implies that before the board could make any budget, the public is always consulted. Public participation design effects level, 33.9% recorded that public participation design effects level was low, 27.1% very high and 20.3% moderate. This shows that a majority of the total population sampled reported that the public participation design effects level is low. This finding contradicts the study done by Asatryan and Heinemann, (2017) who

found out that the design of public participation may improve local legislation, but there is no evidence, at least in the Africa context. The study was done by Ananga and Akiwumi, (2016) in Kenya also found out that public Participation design can also improve efficiency by ensuring better monitoring and verification.

The study sought to determine the respondent's opinion on the consequences of greater involvement of the public in the procedure of preparing ordinances. The findings are shown below;

Figure 5: Consequences of Public Involvement in the Ordinances

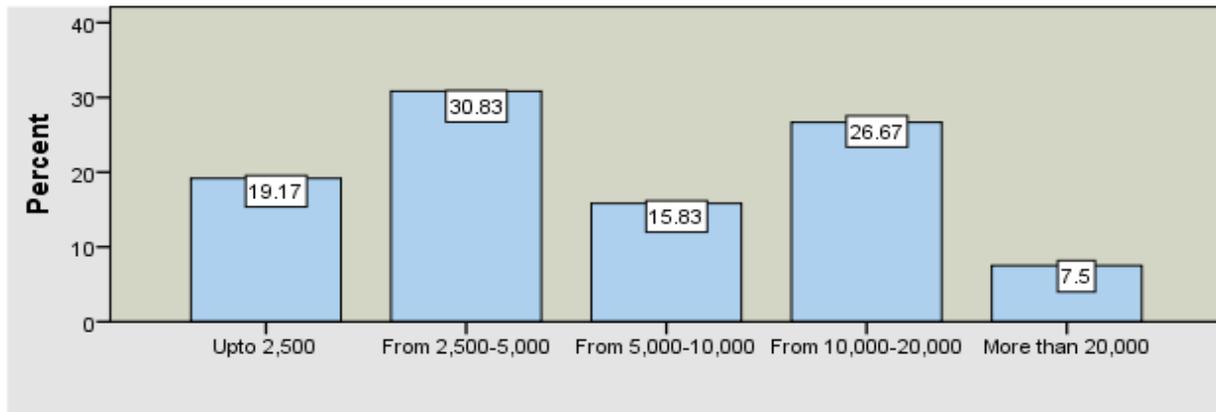


Researcher (2018)

The above Figure shows that the majority of the respondents 52.5% says that the consequences of greater involvement of the public in the procedure of preparing ordinances are a better quality of the services offered by the authority. This shows how important it is to involve the public in authority affairs. The study also found out that most respondents believe that public participation process has an impact on the legislation. This finding goes hand in hand with the conclusion made by Roberts (2016) in the UK, which found out that public participation process lowers the levels of government, which is expected to be more accountable to the citizens by their proximity hence influencing local legislation. The study also found out that public participation has a significant impact on the procedure of preparing ordinances is a better quality of the services offered by the authority. This is similar to findings done by Henry (2015) who reported that in Bolivia, Philippines and India (West Bengal), it is evident that public participation has had a positive impact on the realm of local legislation. Majority of the respondents, 86.7% believe that the public should be involved in the procedure of preparing ordinances more intensively given the present situation. This shows that the public has significant contributions to the ordinance, which should not be ignored.

The study sought to determine the number of employees in the municipal administration. The majority (29.2%) of respondents indicated that the municipal council has more than 50 employees and between 10 to 20 employees. The findings also show that 14.2% stated that the municipal council has less than 10 employees.

The study sought to determine the number of municipality inhabitants. The findings are shown in the Figure below:

Figure 6: Number of Municipality Inhabitants

Researcher (2018)

The Figure shows that majority (30.8%) of the respondents stated that the municipals have between 2500 and 5000 inhabitants. The Figure also shows that 26.67% of the respondents revealed that the council has between 10000 and 20000 inhabitants. The findings mean that the municipal has enough inhabitants that should be included in making decisions.

9. Conclusion

From the first objective, public participation in local legislation, the study found out that the accessibility of information and materials motivates the public to take part in the democratic process. The study found out that the legislatures always inform the public of the agenda of the meetings of the municipal council. This boosts the transparency and trust of the public towards the legislation of the municipal council. This is one of encouraging factors to public participation, when the information is not adequate or inaccessible it means that the public will not be aware of the ongoing activities. The study also revealed that communication platform was one of the significant factors in encouraging public participation. For instance, most respondents indicated that the main channel of communication was municipality newsletter is the most popular channel of communication implies that municipality newsletter is the most reliable; hence the respondents have all the public participation issues. The study found out that one of the factors that affect public participation in the public attitude. Based on the findings presented above the study concludes that the citizen's attitude has an impact on public participation. When citizens have a positive attitude towards the local legislation services, there are high chances they will participate. The study also concludes that public participation design and process influence local legislation.

10. Recommendation

The government and other stakeholders should come up with various ways of ensuring that all citizens are informed about public participation. The study also recommends that public participation design and the process should be improved with the aim of improving public participation.

References

- Aiman, A., & Shuib, M. (2015). *Factor that influences public satisfaction on towards local government services: An empirical study in Majlis Daerah Kubang Pasu (MDKP)*(Doctoral dissertation, Universiti Utara Malaysia).
- Anderson, J. E. (2014). *Public Policymaking*. Cengage Learning.
- Ananga, E. O., & Akiwumi, F. A. (2016). Participation-related factors are influencing performance in four urban-based community-operated water schemes in Kisumu, Kenya. *Community Development Journal*, 52(2), 319-336.
- Asatryan, Z., & Heinemann, F. (2017). Direct democracy and local public finances under cooperative federalism. *The Scandinavian Journal of Economics*, 119(3), 801-820
- Arnstein, S. R. (1969). A ladder of citizen participation. *Journal of the American Institute of planners*, 35(4), 216-224.
- Basheka, B. C., Oluka, P. N., & Mugurusi, G. (2015). Citizen-driven approaches for combating public procurement corruption in Uganda's local government systems: an empirical survey. *International Journal of Logistics Systems and Management*, 21(4), 442-464.
- Beierle, T. C. (1998). *Public participation in environmental decisions: an evaluation framework using social goals*. Washington, DC: Resources for the Future.
- Beierle, T. C. (1998). *Framework for Evaluating Public Participation Programs*. Discussion Paper 99-06, Resources for the Future, Washington, DC (November 1998).
- Blaug, M. (1967). Approaches to educational planning. *The economic journal*, 262-287.
- Bramwell, B., & Sharman, A. (2000). Approaches to sustainable tourism planning and community participation. *Tourism and sustainable community development*, 7, 17.
- Bryson, J. M., Quick, K. S., Slotterback, C. S., & Crosby, B. C. (2013). Designing public participation processes. *Public administration review*, 73(1), 23-34.
- Chadwick, G. (1971). A systems view of planning: towards a theory of the urban and regional planning process.
- Chikozho, C. (2016). The Trajectory and Challenges of Institutional Reform in Africa: Revisiting the Fundamentals for Sustainable Socio-Economic Transformation and Youth Participation.
- Contandriopoulos, D. (2004). A sociological perspective on public participation in health care. *Social Science & Medicine*, 58(2), 321-330.
- Cuthill, M. (2002). Exploratory research: citizen participation, local government and sustainable development in Australia. *Sustainable development*, 10(2), 79-89.
- Đurman, P. (2015). Citizen participation in public administration: the case of Croatian local government.
- Few, R. (2000). Conservation, participation, and power: Protected-area planning in the coastal zone of Belize. *Journal of Planning Education and Research*, 19(4), 401-408.
- Gaidyte, T. (2015). Explaining political participation in mature and post-communist democracies: Why social trust matters?
- Glass, J. J. (1979). Citizen participation in planning: the relationship between objectives and techniques. *Journal of the American Planning Association*, 45(2), 180-189.
- Gudowsky, N., & Bechtold, U. (2013). The role of information in public participation. *Journal of Public Deliberation*, 9(1).
- Henry, N. (2015). *Public administration and public affairs*. Routledge.
- Jami, A. A., & Walsh, P. R. (2014). The role of public participation in identifying stakeholder synergies in wind power project development: The case study of Ontario, Canada. *Renewable Energy*, 68, 194-202.
- Jhazbhay, I. (2009). Somaliland: the journey of resistance, reconciliation and peace. *African Safety Promotion: A Journal of Injury and Violence Prevention*, 7(1).
- Haddow, G., & Coppola, D. P. (2017). *Introduction to emergency management*. Butterworth-Heinemann.

- Hartley, N., & Wood, C. (2005). Public participation in environmental impact assessment—implementing the Aarhus Convention. *Environmental Impact Assessment Review*, 25(4), 319-340.
- Hashim, H. (1986). *Grassroots participation in local planning process* (Doctoral dissertation, Iowa State University).
- Hood, C., & Jackson, M. W. (1991). *Administrative argument* (Vol. 5). Aldershot: Dartmouth.
- Innes, J. E., & Booher, D. E. (2004). Reframing public participation: strategies for the 21st century. *Planning theory & practice*, 5(4), 419-436.
- Inskip, E. (1991). *Tourism planning: an integrated and sustainable development approach*. Van Nostrand Reinhold.
- Jami, A. A., & Walsh, P. R. (2014). The role of public participation in identifying stakeholder synergies in wind power project development: The case study of Ontario, Canada. *Renewable Energy*, 68, 194-202.
- Kimathi, M. G. (2016). Factors Influencing Public Participation In The County Integrated Development Planning Process. A Case Of County Government Of Meru.
- Kjørnøy, L. (1997). Strategic environmental assessment: sustainability and democratization. *Environmental Policy and Governance*, 7(6), 175-180.
- Lafont, C. (2015). Deliberation, Participation, and Democratic Legitimacy: Should Deliberative Mini-publics Shape Public Policy? *Journal of Political Philosophy*, 23(1), 40-63.
- Lichfield, N. (1996). *Community Impact Evaluation: Principles And Practice*. Routledge.
- Lukensmeyer, C. J., Goldman, J., & Stern, D. (2010). Assessing public participation in an open government era. *A Review of Federal Agency Plans, USA: IBM Center for The Business of Government, Fostering Transparency and Democracy Series.[Links]*.
- Lukić, I. (2011). Influence of planning and civil initiative, as a form of public intervention, on gentrification. *Spatium*, (25), 56-66.
- Maloff, B., Bilan, D., & Thurston, W. (2000). Enhancing public input into decision-making: Development of the Calgary Regional Health Authority public participation framework. *Family & Community Health*, 23(1), 66-78.
- Mohammadi, S. H., Norazizan, S., & Ahmad, N. (2010). Citizens' attitude towards local government and citizen's participation in local government. *Journal of American Science*, 6(11), 575-583.
- Munro-Faure, L., & Munro-Faure, M. (1994). *La calidad total en acción*. Folio.
- Nabatchi, T., & Leighninger, M. (2015). *Public participation for 21st century democracy*. John Wiley & Sons.
- Nabatchi, T., & Amsler, L. B. (2014). Direct public engagement in local government. *The American Review of Public Administration*, 44(4_suppl), 63S-88S.
- Neshkova, M. I., & Guo, H. (2011). Public participation and organizational performance: Evidence from state agencies. *Journal of Public Administration Research and Theory*, 22(2), 267-288.
- Osman, A. A. (2007). Cultural diversity and the Somali conflict: Myth or reality?. *African Journal on Conflict Resolution*, 7(2), 93-133.
- Osman, A. A. (2002). Cultural diversity and the Somali conflict: Myth or reality?. *African Journal on Conflict Resolution*.
- Owusu, V. A. (2016). *Assessing The Contributions Of Internally Generated Funds In The Development Of Metropolitan Assemblies In Ghana: A Case Study of the Kumasi Metropolitan Assembly* (Doctoral dissertation).
- Roberts, D. (2016). *Political transition in Cambodia 1991-99: Power, elitism and democracy*. Routledge.
- Saad, A. M. (1998). *Public participation and community design in tourism development: Case studies and implications for a model of tourism development in Langkawi, Malaysia* (Doctoral dissertation, Iowa State University).
- Samatar, A. I. (2005). The Ethiopian election of 2005: A bombshell & turning point? *Review of African Political Economy*, 32(104/105), 466-473.

- Senge, P. M. (2006). *The fifth discipline: The art and practice of the learning organization*. Broadway Business.
- Siala, E. O. (2015). *Factors Influencing Public Participation in Budget Formulation. The Case of Nairobi County* (Doctoral dissertation, United States International University-Africa).
- Slocum, R., Wichhart, L., Rocheleau, D., & Thomas-Slayter, B. (1995). *Power, process and participation: tools for change*. London, UK: Intermediate Technology Development Group (ITDG) publishing.
- Slocum, R. & Thomas-Slayter, B. (1995). Participation, empowerment and sustainable development, in: Rachel, S.; Lori, W.; Dianne, R.; Barbara, T. S. (Eds.). *Power, Process and Participation: Tools for Change* (pp. 3-8). London: *Intermediate Technology Publications*.
- Smith, B. L. (2003). Public policy and public participation engaging citizens and community in the development of public policy.
- Stiftel, B. (1990). On retaining our best and brightest. *Journal of the American Planning Association*, 56: 67-69.
- Thurston, W. E., MacKean, G., Vollman, A., Casebeer, A., Weber, M., Maloff, B., & Bader, J. (2005). Public participation in regional health policy: a theoretical framework. *Health Policy*, 73(3), 237-252.
- Timothy, D. J. (1999). Participatory planning, A view of tourism in Indonesia. *Annals of tourism research*, 26(2), 371-391.
- Tosun, C. (1998). Roots of unsustainable tourism development at the local level: The case of Urgup in Turkey. *Tourism Management*, 19(6), 595-610.
- Tosun, C., & Timothy, D. J. (2001). Shortcomings in planning approaches to tourism development in developing countries: the case of Turkey. *International Journal of Contemporary Hospitality Management*, 13(7), 352-359.
- World Health Organization. Violence, Injury Prevention, & World Health Organization. (2013). *Global status report on road safety 2013: supporting a decade of action*. World Health Organization.

This is an open-access article published and distributed under the terms and conditions of the  [Creative Commons Attribution 4.0 International License](https://creativecommons.org/licenses/by/4.0/) of United States unless otherwise stated. Access, citation and distribution of this article is allowed with full recognition of the authors and the source.

Authors seeking to publish with an International Peer Reviewed Journal should consider <https://www.ijcab.org/> by writing to the Editor at editor@ijcab.org. The articles must be quality and meet originality test.