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## *The distributional politics of social transfers in Kenya*

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## Abstract

This paper examines the politics of distributing social transfers across four diverse counties in Kenya – Homa Bay, Marsabit, Nakuru and Nyeri – with a focus on three of the nationwide social transfer programmes: the Cash Transfer for Orphans and Vulnerable Children (CT-OVC); the Older Persons Cash Transfer Programme (OPCT); and the Inua Jamii Pension. The paper presents two key findings. First, it finds that state infrastructural power plays a central role in mediating the implementation of social transfer programmes. Where state infrastructural power is high, formal programme guidelines tend to be closely followed. However, where state infrastructural power is low, bureaucrats compensate by relying on local authorities – including administrative chiefs, village elders and clan leaders – to assist with programme functions that are outside of their formal roles within the social transfer programmes. Second, the paper finds that there is less political interference in the local distribution of social transfers than the extant literature predicts. Strong formal programme rules and guidelines, combined with significant central oversight over programme implementation, limit the influence that local politicians have over the distribution of social transfer programme benefits.

## 1. Introduction

Kenya was an early implementer of social transfers on the continent, with its first pilot programme – the Cash Transfer for Orphans and Vulnerable Children (CT-OVC) – introduced in 2004 as a collaboration between UNICEF and the government of Kenya. Following the CT-OVC, the government funded and implemented social transfers for vulnerable older persons and persons with severe disabilities. The CT-OVC, Older Persons Cash Transfer (OPCT) and the Persons with Severe Disabilities Cash Transfer (PWSD-CT) all provide targeted bimonthly unconditional monetary transfers to vulnerable populations and operate nationwide, while a fourth targeted programme, the Hunger Safety Net Programme (HSNP), operated only in the four northern counties. The government has continued to expand its provision of social transfers to vulnerable populations and has enshrined these non-contributory programmes into government policy. The government of Kenya's newest programme, the Inua Jamii pension, was started in 2017-2018. It provides unconditional transfers to everyone aged 70 and above who is not already receiving a pension and will eventually replace the OPCT.

Social transfers and other public goods implemented in competitive electoral environments may be prone to politicisation, as political actors seek to distribute social transfers in ways that build popular support (Driscoll 2018). Indeed, the creation of Constituency Social Assistance Committees, which provide oversight over the social transfers at the constituency level and which are headed by the area member of parliament, has led some scholars to argue that the social transfers in Kenya have been 'successfully co-opted' by the MPs to serve as a 'constituency-level patronage resource' (Wanyama and McCord 2017: 22; see also Wanyama and Nyambedha 2017). However, studies from other regions have demonstrated that it is possible to limit the political manipulation of social transfers, even in countries with long histories of patronage politics, if there is 'solid ministerial commitment, thoughtful policy design and strong technocratic capacity' (Sugiyama and Hunter 2013: 43-44). However, apart from Kramon's (2019) findings that the formal guidelines for programme implementation limit the ability of politicians to influence and claim credit for the distribution of social transfers, there is limited empirical work on how social transfers in Kenya are delivered at the local level. This paper contributes to this burgeoning literature on the distributive politics of social transfers, emphasising that policy implementation is not simply a top-down administrative process that uniformly follows official rules and guidelines, but a highly political negotiation involving both state and societal actors (Migdal 2001; Paudel 2009).

Policy implementation requires not only bureaucratic capacity, but also the ability to exercise control across an entire territory. As such, state capacity to distribute social transfers is analysed based on Mann's concept of state infrastructural power – 'the capacity of the state to actually penetrate civil society, and to implement logistically political decisions throughout the realm' (1984: 113) – conceptualised across three dimensions. First, physical, human and financial resources available at the subnational level, for example the resources required to identify households that meet the targeting

criteria. Second, infrastructural power depends on intra-state relations, particularly the central state's ability to oversee and enforce decisions made by local officials, in order to ensure that they follow the programme guidelines. Third, state–society relations determine the autonomy and perceived legitimacy of local officials, as well as the influence of local political authorities in the distribution of resources. Importantly, state infrastructural power is not necessarily uniform (Mann 1984; see also Soifer and vom Hau 2008). In areas where the central state lacks embeddedness in the society, national guidelines may be interpreted differently by subnational authorities, based on local understandings of deservingness, including access to land and other resources. Where state legitimacy and state capacity for oversight are low, local authorities such as chiefs, village elders and clan leaders may compensate for infrastructural power and play a greater role in the distribution of social transfers. The implementation of social policy may also be influenced by relationships between political elites and local communities, with social transfers either incorporated into the logics of clientelism that shape resource delivery in Kenya (Arriola 2009; Hassan 2020b) or captured by local political actors (Wanyama and Nyambedha 2017; Wanyama and McCord 2017). Alternatively, they may be delivered programmatically in order to procure or maintain popular support for the ruling party (Kramon 2019).

The paper focuses primarily on two social transfers, the CT-OVC and OPCT, as they are the two largest programmes with national coverage. Some attention is also paid to the Inua Jamii pension, which was undergoing recertification and enrolment during fieldwork and which will eventually replace the OPCT.[1] While the implementation of social transfers encompasses a range of activities, including targeting, registration, payment, case management, grievances and recertification, this paper primarily focuses on targeting and registration. These processes provide the greatest opportunity for political manipulation of the distribution of benefits. The paper employs case studies of four diverse counties across Kenya, which vary in their levels of political competition and their historic incorporation into the central state. In each county, researchers conducted 45 key informant interviews with government officials, local and customary authorities, political appointees, members of social transfer committees and health workers, as well as 16 focus group discussions with both beneficiaries and non-beneficiaries of the CT-OVC and OPCT.

The paper presents two key findings. First, variations in state infrastructural power impact the ability of bureaucrats to adhere to the rules and guidelines for implementation. In areas where there is more oversight of programme implementation from the central state, greater access to human, material and financial resources, and where the state has a greater territorial reach and is more embedded within the society, the implementation of the CT-OVC and OPCT programmes closely follows official guidelines. However, where there is relatively limited state capacity and oversight by the central government, local authorities compensate for the weak infrastructural

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[1] The CT-OVC covers 29 percent of the eligible population, the OPCT and Inua Jamii pension combined cover 78 percent of the eligible population, whereas the PWSD-CT covers only 3 percent of the eligible population (KiPPRA 2018).

power of the state and thus play a more prominent role in the implementation of the social transfers, beyond their formal roles and responsibilities. The second key finding in this paper is that state patronage and party politics play a less prominent role in the distribution of the social transfers at the local level than has been predicted by existing literature. While MPs frequently claim credit for the expansion of social transfers in their constituencies, they are rarely able to impact the allocation of social transfers to locations or households in practice.

Subnational variations in access to human, physical and financial resources and the oversight of the central state over the implementation of the social transfers are therefore key to explaining variations in targeting and registration in Kenya, with implications for who gets access to social transfers. The paper starts with an overview of the historic foundations of state formation in Kenya, and a justification of the case selection and research design. Section 3 provides an overview of the administrative structures of the programmes, and explores variations in state infrastructural power across the four cases. Section 4 then analyses how these variations have shaped the geographic and participant targeting of social transfers in the selected cases, before Section 5 concludes.

## 2. Patterns of state formation in Kenya

In Kenya, legacies of colonialism and state formation have had lasting impacts on the balance of political power, incorporation into the central state and variations in state infrastructural power. In the Rift Valley, removal of indigenous populations to allow white settlers to access the fertile highlands during the colonial period resulted in overcrowding in 'native reserves' and an influx of migrants, frequently of Kikuyu ethnicity, in search of agricultural work. After independence, the Kenya African Democratic Union (KADU) advocated for the highlands to be returned to the 'indigenous' ethnic Kalejin and Maasai groups. Instead, the ruling Kenya African National Union (KANU) supported the resettlement of the ethnic Kikuyu into the Rift Valley area as white settlers departed. The shifting balance of power in national politics between the Kikuyu, Luo and Kalenjin ethnic groups has had major ramifications for the treatment of the 'indigenous' and 'outsider' populations in the Rift Valley. This has resulted in continued ethnic divisions and conflict over land, and was one of the central causes of the 2007/2008 electoral violence (Kanyinga 2009; Boone 2012).

Furthermore, the state is largely absent in arid pastoralist areas of Northern Kenya, as a long history of marginalisation from the central state has resulted in relatively low levels of state infrastructural power and state legitimacy (Achiba 2019: 5). According to Zwanenberg, the colonial government saw pastoralism as 'primitive, backward and to be discouraged', implementing policies that impeded the mobility of pastoralists and limited access to common property, exacerbating vulnerabilities amongst pastoral populations (quoted in Amutabi 2017: 126). With independence, the new administration failed to dismantle the retrogressive policies (Waller 2012; Achiba 2019). Despite recent investments in physical infrastructure (Kochore 2020), essential physical and social infrastructure, such as roads, electricity, schools and health centres

remain limited (Arero 2017). Marginalisation from the central state has also resulted in customary systems of local governance, such as clan leaders, being afforded greater importance than in other parts of the country (Bassi 2005; Schlee 1989).

The balance of political power in the post-independence era also has significant ramifications for access to state resources. Colonial divide-and-rule polices resulted in divisions between major ethnic groups, which have deepened in the post-colonial era (Branch 2011; Khisa and Oesterdiekhoff 2012). Access to state resources is controlled by the political elite, and resources are distributed to supporters through a network of patron–client relationships that serve as the basis for continued power. Thus, incumbent areas in central Kenya have historically had greater access to state resources and closer ties to the central state, while opposition areas have been marginalised (Hassan 2020b).

Political tensions have continued to aggravate ethnic cleavages. Following independence, increasing divisions between the first President Jomo Kenyatta and his Vice-President, Oginga Odinga, led to Odinga's abdication and later detention. These events contributed to the continued marginalisation of Luo Nyanza under Kenyatta and his successor, Daniel arap Moi. More recently, multi-party elections have been highly competitive and closely contested (Lynch 2011; Muhula 2020). In 1992, the incumbent government was accused of inciting ethnic violence, which led to an estimated 1,500 dead and 300,000 displaced in the 14 months prior to the election itself (Human Rights Watch 1993; Mulli 1999; Klopp 2001; Branch 2011). In 2007, post-election violence erupted following the announcement of Kibaki as president, resulting in 1,000 people killed and over 500,000 people displaced (Branch 2011; Mueller 2020). These events were underpinned by patterns of political violence, structured along ethnic lines, established under Moi's regime (Kanyinga 2009). As Cheeseman (2008) describes:

> 'The anger of ODM supporters at the perceived theft of the 2007 election cannot be separated from their perception that they have been excluded from the political process for many years; the declaration of Kibaki as president was such a powerful trigger for the violence precisely because it tapped into a rich mine of strong historical grievances' (170).

Ultimately, a power-sharing agreement led by Kibaki was established and a new constitution was introduced which outlined social, economic and political rights for all Kenyans and proposed a new devolved political system that would decentralise some power to newly created counties. Implemented in 2013, devolution created an entirely new level of government, with separate executive and legislative powers (Cornell and D'Arcy 2014). While devolution brought some state systems closer to the people, which is particularly salient for those living in Northern Kenya (Scott-Villiers 2017; Wagana 2017; Bulle and Ombui 2016), it also decentralised patronage networks to the local level (D'Arcy and Cornell 2016).

The election of Uhuru Kenyatta in 2013 and his contested re-election in 2017 also did little to alter existing networks of clientelism (Wanyama and McCord 2017; Wanyama

and Nyambedha 2017). Rather it saw the continuation of a political system that rewards loyal supporters and ethno-regional allies and provides the incumbent government 'with opportunities to accumulate private resources and (mis)use public ones' (Pommerolle 2020:16). These histories of marginalisation and bitterly contested elections, linked to struggles for control over state power and resources, have implications for the implementation of social transfers. Such programmes require state resources and oversight, and can represent opportunities for the government to gain support during elections.

**Case selection**

Subnational cases were selected to include counties with variations in state infrastructural power, levels of ethnic diversity and party politics (Figure 1). This provides the opportunity to compare areas of low and high infrastructural power, areas with low and high levels of ethnic diversity, as well as highly contested and traditionally uncontested areas, including both opposition and incumbent strongholds.

**Figure 1. Subnational case selection**

| | | Party politics | |
| --- | --- | --- | --- |
| | | Stronghold | Contested |
| **State infrastructural power** | High | NYERI | *NAKURU* |
| | Low | HOMA BAY | *MARSABIT* |

NB*:* Italics indicates counties with high levels of ethnic heterogeneity.

Nyeri county is an incumbent stronghold and home primarily to inhabitants from the Kikuyu ethnic group. The county lies in the agriculturally rich central highlands, in the former Central Province. Homa Bay county is in the former Nyanza province, and borders Lake Victoria. It is an opposition stronghold, home primarily to Luo inhabitants. Marsabit county is one of the four northern counties formerly part of the Eastern Province. It is the largest county in Kenya in terms of land size, and shares a border with Ethiopia to the North. Marsabit has been historically marginalised by the central government, and has been highly contested within national political races. It is ethnically diverse, with over 14 ethnic communities, the largest being the Borana and Gabra. Finally, Nakuru county was formally part of the Rift Valley Province. It is ethnically diverse, with the largest ethnic communities being the Kikuyu and Kalejin. The county has often been contested in national elections, depending on the shifting alliance of power amongst the country's political elites. It experienced some of the worst violence in the country during 2007/2008 and has a relatively high population of internally displaced persons from this period (Kanyinga 2009).

**Figure 2. Map of case selection – counties and sub-counties**
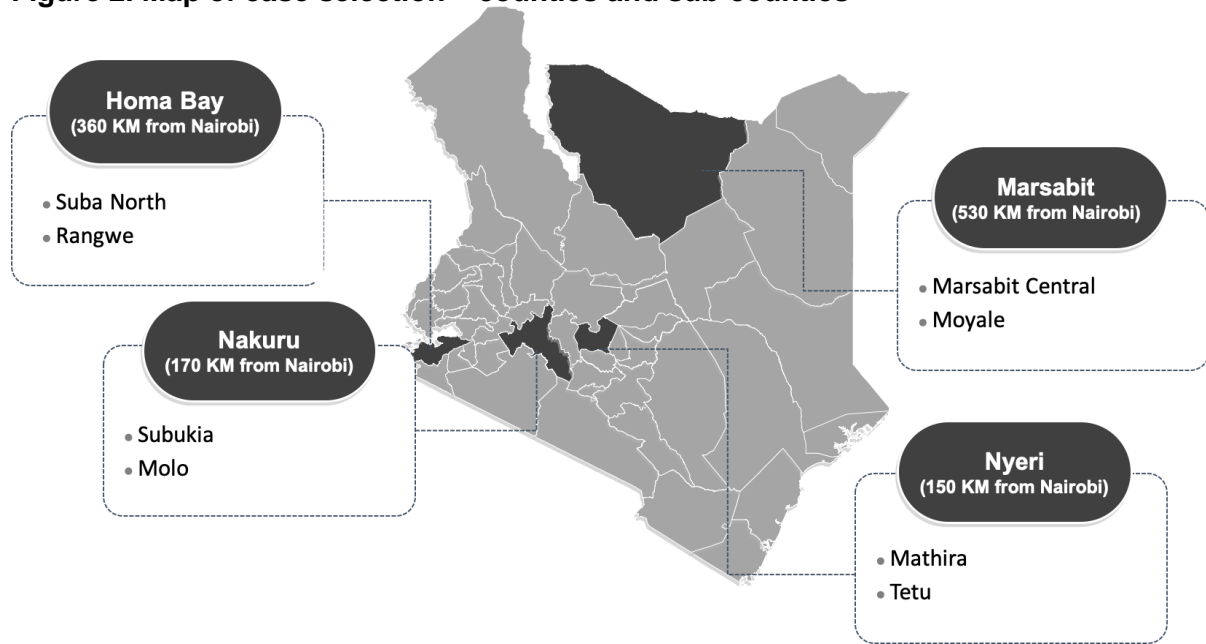


Sub-counties were selected to be representative of the entire county. First, variations in state infrastructural power were considered, based on interviews conducted at the county level and the knowledge of the Kenya-based researchers involved in the project. Second, programme coverage and the length of time that the programmes have been implemented within the sub-county were considered, using data both from the national Management Information System (MIS), as well as interviews conducted at the county level. Thus, sub-counties with high or low levels of state infrastructural power relative to the county as a whole were excluded, as were sub-counties that were part of pilot programmes.

## 3. State infrastructural power in context

Since 2013, all of Kenya's social transfer programmes have been coordinated under one umbrella, the National Safety Net Programme (NSNP), with the goal of establishing a single operations framework for all programmes. A new Operations Manual was introduced in 2017, to standardise the implementation structures for all the social transfers. This section outlines the administrative structures for the transfers, specifically the CT-OVC and the OPCT, and discusses the aspects of infrastructural power that directly affect these government offices, namely: resources; intra-state relations; and state–society relations.

At the national level, the Social Assistance Unit (SAU) oversees the social transfers, including targeting, payments, monitoring and evaluation, complaints and grievances and communications. However, day-to-day operations are allocated to specific government departments, as outlined in Figure 3, with liaison officers who serve as the link between the SAU and the relevant departments. County coordinators in the Children's Office and Social Development Office are responsible for oversight of the CT-OVC and OPCT, respectively, while at the sub-county level, the sub-county children's officers (SCCOs) and the sub-county social development officers (SCSDOs)

are responsible for implementation. Within each sub-county, the SCCO and SCSDO oversee numerous locations. Each location is divided into multiple sub-locations, and each sub-location is further divided into multiple villages. Administrative chiefs employed by the central government oversee the location, with an assistant or sub-chief for each sub-location.

**Figure 3. CT-OVC and OPCT administrative structures**
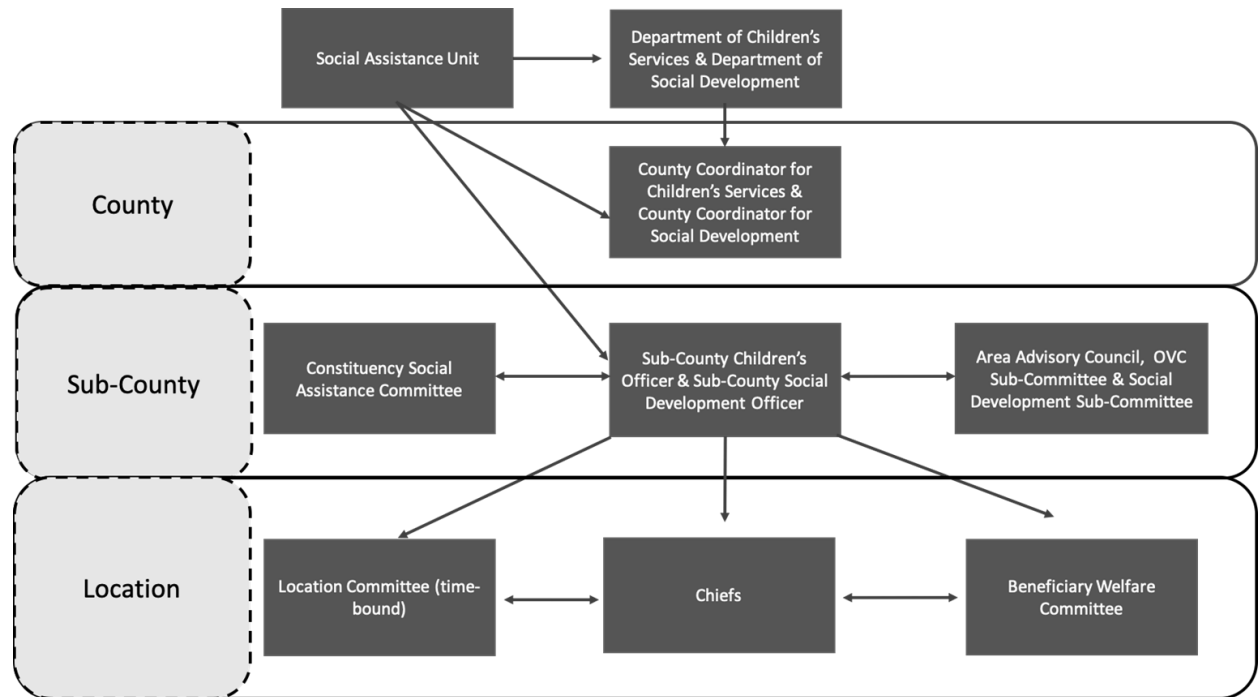


The new operations manual recognises the important roles played by chiefs throughout the implementation process. However, their role in targeting is supposed to be limited to community mobilisation for *barazas*, providing security and, if necessary, assisting potential beneficiaries to acquire the required identification documents, such as birth certificates, death certificates or national identification cards. Chiefs do not have their roots in customary authority, but rather were created by colonial authorities to facilitate their rule in Kenya. After independence, chiefs became the lowest level of government administration, with colonial structures 'retained as part of the top-down system of governance' (Nyamweru and Chidongo 2018: 243). Chiefs are appointed bureaucrats who oversee locations, which are composed of between 20 and 50 villages, and also act as non-political representatives of the national government within the location. Village elders, who are not formally remunerated, oversee each village (Nyamweru and Chidongo 2018). They are frequently elected; however, their selection varies between areas, with the importance of clans and other traditional authorities varying between ethnic communities. Importantly, as Baldwin's (2016) work highlights, traditional authorities can help compensate for the limited bureaucratic capacity and reach, as they are 'deeply economically and socially embedded within their communities', which provides them incentives to be responsive to the needs of the community (10).

In the new Operations Manual, there is a provision for a Location Targeting Committee (LTC), comprised of an elected representative from each village in the locations where social transfer expansion is scheduled. However, since the implementation of the new Operations Manual, social transfers had not been expanded in the areas covered by fieldwork. Rather, respondents described the previously operational committees which fulfilled the same function. For the CT-OVC, this was a Location OVC Committee (LOC) and the OPCT similarly had Location Committees (LCs). The committees are generally composed of between eight and 15 members, depending on the number of villages and sub-locations within the location. However, in practice, there was significant variation in the composition and function of the LOC and LC between counties, sub-counties and sometimes locations. In each location, there are also Beneficiary Welfare Committees (BWCs) for each of the social transfer programmes. BWC members are elected by social transfer participants, with representatives from each village, to ensure broad representation within each location. BWC members are not compensated for their duties, which include informing beneficiary households of payment dates, following up on non-collection of payments, mobilising beneficiaries for trainings, updating beneficiary information and fielding complaints and grievances from beneficiaries. BWCs provide a link between social transfer participants and local-level bureaucrats.

The main avenue for political involvement in the social transfers has been through the creation of the Constituency Social Assistance Committees (CSACs) in 2015, which have their origins in MPs' demands for direct involvement in the social transfers at the constituency level. Each CSAC is composed of 15 members, nine of which are political appointees.[2] The CSAC is designed to 'act as a link between the political leaders and the community' (Republic of Kenya 2017: 9). The committee's formal roles include participating in validation of potential participants, monitoring targeting procedures and community awareness-raising activities. Members are expected to attend quarterly meetings, where they receive a 'sitting allowance' of KSH 3000 (approximately £23). Scholars have raised concerns that the CSAC could be used for political manipulation of the social transfers at the constituency level, either by influencing the locations where social transfers are expanded as a means of rewarding past support or by building support for future elections (Wanyama and McCord 2017; Wanyama and Nyambedha 2017). However, as will be explored further in the next section, strong formal rules and guidelines tend to limit the political interference of the CSACs and, where operational, they have been used as an additional tool for monitoring the social transfers.

All bureaucrats involved in the social transfers are trained on the new Operations Manual, in an effort to ensure that the same implementation procedures are followed.

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[2] The MP is the patron of the committee, and they nominate two religious leaders and three other members to the committee. The County Women Representative also sits on the committee, and nominates two members. The remaining members are bureaucrats, including the Deputy County Commissioner, the Sub-County Development Officer, the Sub-County Education Officer, the Sub-County Registrar of Births and Deaths, the Sub-County Medical Officer of Health, and the SCCO and SCSDO, who serve as joint secretaries.

Moreover, there are systems of oversight that extend from the central offices in Nairobi to the county and sub-county offices, and down to recipient households. While the creation of these rules and regulations at the national level are important, subnational differences in state infrastructural power impact the implementation of targeted social transfers. While local bureaucrats received the same training and evaluations, counties historically marginalised by the central state – such as Marsabit and Homa Bay – received less oversight from the central state and the resources available in these counties were inadequate to facilitate social transfer implementation, particularly in areas with limited infrastructure, which limited access to remote areas.

**Resources**

While all the bureaucrats interviewed reported resource deficiencies, the extent to which these deficiencies impacted the ability of bureaucrats to carry out social transfer duties varied considerably across counties. Oversight over programme implementation was in part dependent on bureaucrats' capacity to reach communities, which is dependent on availability of human resources, including time constraints of bureaucrats; financial resources for field activities; and physical infrastructure, including access to transport. In Homa Bay and Marsabit, resources constraints were not only more pronounced than in Nakuru and Nyeri, but they were also exacerbated by poor physical infrastructure. In Marsabit, where each sub-county covers a large area of diffuse villages, public transport is limited and road infrastructure is poor (Table 1). In Homa Bay, public transport to interior areas and smaller islands is limited, whereas Nyeri and Nakuru have a relatively strong network of public transport, through *matatus* (minibuses) and shared cars.

**Table 1. County size and population density**

|  | Marsabit | Homa Bay | Nakuru | Nyeri |
|---|---|---|---|---|
| **Area (Mi$^2$)** | 25,839 | 1,218 | 2,899 | 912 |
| **Population density (persons/Mi$^2$)** | 11.29 | 791.29 | 552.95 | 760.48 |

One bureaucrat in Homa Bay reported, 'We don't have vehicles to move, we don't have motorbikes to move, so in most cases we hire and yet what the government is giving in terms of funding is quite limited, so that cannot allow us to carry out all these duties'. Bureaucrats also reported that understaffing frequently forced them to close offices when they were sick or had to attend trainings and that they relied heavily on local volunteers to support their work. In Marsabit, these structural constraints were even more pronounced and bureaucrats were further constrained by pockets of regional instability, low rates of registration for national identity cards and high rates of seasonal mobility among the transhumant pastoralists. As one officer in Moyale noted,

> 'We are poorly staffed because we serve seven wards and two districts and the furthest location is 150km away. Most of the areas are rough and unreachable during rainy season, and some areas are conflict zones we are unable to reach and for the community to get service is hard.'

Limited resources and poor infrastructure made it difficult for bureaucrats to reach remote communities, particularly households engaged in transhumant pastoralism. Moreover, given their limited human resources, bureaucrats were often forced to leave their offices unattended for long periods of time when traveling either within the county or to Nairobi and there were frequent reports of office closures from beneficiaries and committee members.

In contrast, while bureaucrats in Nakuru and Nyeri at times felt constrained by understaffing and a lack of vehicles, they were more positive about their ability to meet their targets related to the social transfer programmes. In both counties, bureaucrats frequently solicited help from other government offices, NGOs or politicians in the areas where they worked. A bureaucrat in Nakuru mentioned that the politicians sometimes assist 'in providing certain resources, like for instance if we have shortages of vehicles to reach certain areas that are far-fetched'. In Nyeri, a bureaucrat similarly reported that their 'office has always met the goals and targets, despite inadequacy of resources allocated,' and that they managed by borrowing vehicles and volunteers from 'other state departments'.

**Intra-state relations**

Another key component of infrastructural power involves the oversight of the central state over lower-level bureaucrats to ensure that social transfers are uniformly implemented across diverse subnational contexts following centralised frameworks. The Department of Children's Services and the Department of Gender and Social Development oversee the day-to-day functions of their staff located in the counties and the SAU oversees the implementation of the social transfers across all 47 counties (Figure 4). In addition to regular communication between national and subnational offices, through phone calls, emails and WhatsApp messages, the SAU also conducts monitoring visits to the counties. However, the level of oversight from the central offices varies based on the proximity of counties to Nairobi, where the ministries, departments and the SAU are all located.

Across all counties, bureaucrats engage in a largely top-down process of goal-setting, in line with the broader goals of the ministry and the SAU. These goals look similar across all counties and sub-counties, and relate to payment, management of complaints and community awareness building. In certain years, bureaucrats are expected to meet goals for targeting and registration, with numbers and the timelines 'handed down by SAU', but they are not evaluated on targeting accuracy. Bureaucrats' performance is evaluated annually against these goals, but if goals are not met, bureaucrats are given the opportunity to provide an explanation. Although there is no official incentive structure in place, respondents commonly reported that consistently poor performance might limit opportunities for promotion. Individual performance is rarely rewarded, except through occasional letters of recognition, and high-performing

**Figure 4. Social transfer administrative structures**

ministries sometimes receiving monetary bonuses for all employees. Goal-setting and performance monitoring was reported consistently across all counties and sub-counties, but had limited impact on the overall implementation of the social transfers.

All bureaucrats involved in the implementation of the social transfers received training on the Operations Manual and communicated regularly with both their immediate superiors in the ministry and SAU. The programmes are also subject to additional oversight by the SAU through monitoring visits to the sub-county offices. They also visit participant households to assess targeting effectiveness and follow up on complaints. However, there was significant variation between counties in the frequency of SAU monitoring visits, which maps onto both the distance from Nairobi, and the marginalisation of distant counties by the central state.

SAU visits were most frequent in Nakuru and Nyeri counties, averaging between two and five times per year. The SAU visit sub-county offices and participant households to discuss programme implementation and to audit 'the office and the work of the officer'. In Homa Bay, SAU visits were less predictable, with bureaucrats reporting annual SAU visits to both sub-county offices and participant households. In Marsabit County, SAU visits were even less consistent, with bureaucrats reporting 'occasional' and 'infrequent' visits. One county coordinator reported that SAU visits were 'unusual' and that there was 'limited oversight of the programme by SAU'.

The proximity of Nyeri and Nakuru counties to Nairobi enables more frequent SAU visits and also makes it easier for sub-county bureaucrats to travel to Nairobi. The trips are cheaper and require less time away from the county offices. Areas close to the centre therefore receive greater oversight from the SAU. Areas that are farther from

Nairobi not only receive less direct oversight but also experience greater difficulty following up on programme issues in person, for example around payments and grievances.

**State–society relations**

Another central component of the state's infrastructural power concerns how societal actors perceive the legitimacy of the institutions of the central state and 'the effects, or weight, of the state on societal power networks' (Soifer 2008: 235). The variations in state–society relations in Kenya, shaped by the marginalisation and alienation of peripheral communities from the central state, affect the legitimacy of local bureaucrats and perceptions of the transfers by the communities where they are implemented.

All bureaucrats are centrally appointed and rotate postings every few years. However, there are important subnational differences in the embeddedness of bureaucrats within the communities which they serve. Hassan (2020a) provides evidence that, under Kenya's provincial administrations, the percentage of co-ethnic administrators and the length of their tenure was higher in areas aligned with the incumbent president. Therefore, bureaucrats in steadfast opposition areas, such as Homa Bay – which have historically been 'misaligned' with the central government – are less likely to be locally embedded in the communities which they serve. Furthermore, Hassan finds that bureaucrats generally have a 'strong aversion to assignments in the arid north' and that their tenure in these 'hardship posts' is generally limited to two years (2020a: 83). Thus, local embeddedness is less likely in the Northern Counties, where bureaucrats are frequently rotated and less likely to be members of the local communities, thereby reducing their knowledge of and sense of obligation to the communities they serve (Hassan 2020a).

In addition to SAU visits, monitoring at subnational level is conducted by the county coordinators, the SCCO, SCSDO and the CSAC, mainly focused on payment points. Its frequency depends partly on the level of oversight from the SAU and the resources available at the sub-county office, as discussed above. However, it also depends on the motivation of the CSAC members, and the relationship of the SCCO and SCSDO with local communities. Nyeri and Nakuru counties both had relatively high levels of oversight at this level, which was largely driven by bureaucrats' strong connections with locally embedded actors, including CSAC members, who were willing to conduct informal monitoring and report any issues to bureaucrats who could then follow up.

In Homa Bay, some bureaucrats were from surrounding areas, while others lacked either innate or learned embeddedness.[3] Bureaucrats reported that limited resources impeded their ability to effectively monitor programmes at the local level. However, like Nyeri and Nakuru, they compensated for some of these deficiencies through the CSAC

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[3] Embeddedness can either be innate or learned – in other words, either a function of bureaucrats' shared ethnicity with the community or learned through long postings in a single place (Hassan 2020a: 50)

members who helped monitor payment points during bi-monthly distribution and chiefs who helped monitor participant households.

In Marsabit, bureaucrats often reported feeling removed from the communities where they worked and were unlikely to be embedded in the local community. Their limited term appointments in the Northern Counties, as well as significant language barriers, reduced their ability to build connections with local communities. Bureaucrats often rely on local interpreters, and, as one SCCO formerly based in Marsabit noted, 'the moment there is an interpreter, and maybe he or she is a local, you could not detect if the community is being given the right information'. Scarce resources and inadequate infrastructure also limited local bureaucrats' ability to visit remote areas, and they often relied on a constrained form of local monitoring by chiefs or community members.

State–society relations also influence community interpretations of the social transfers. Across all counties, participants generally understood that the social transfers were national programmes, implemented by the central government, and not attributable to a specific political party. The OPCT and CT-OVC have survived tumultuous government turnovers and the transfers have been central to both the incumbent and opposition parties' campaigns for many years. However, participant perspectives are also influenced by the transparency of targeting procedures. Participants in Homa Bay and Marsabit were more likely to view the programmes as a 'gift' or a 'favour', while participants in Nyeri and Nakuru were more likely to view the programmes as their 'right'.

Local narratives about the social transfers – influenced by party politics – are also salient. Registration for the Inua Jamii pension, held the month before the contested 2017 election, was widely viewed as a political manoeuvre to attract votes from broad sections of the population. However, the impacts of this tactic varied across sub-counties. In Nyeri, an incumbent stronghold, participants frequently reported that MPs would claim credit for the expansion of the social transfers, including the Inua Jamii pension, but were wary of these claims. Many respondents in Nyeri also noted that politicians 'only seek political mileage… [and] only talked about programmes during campaigns for people think they are involve'. Across Nakuru and Marsabit counties, which are electorally competitive, both bureaucrats and participants noted that Inua Jamii was likely to increase support for the incumbent party. One bureaucrat in Nakuru felt that while the pension registration 'could have facilitated some political gain, the aim is not to do [only] with politics'. This was echoed more strongly by respondents in Marsabit County, where Inua Jamii, alongside other government services implemented by the Jubilee government, such as free maternity care, had a positive impact on citizens' perceptions of the central government at the sub-county level. One bureaucrat said that prior to the 2017 election he often 'heard the elders say, "We will keep Uhuru no matter what as he brought us the money."' On the other hand, in Homa Bay, which is an opposition stronghold, pension registration was widely viewed as a political tool. This led to distrust between the community and local bureaucrats, both during and after the election period. Rumours circulated that government officials employed at all

levels had been directed to campaign for the incumbent. The County Commissioner in the Social Development Office affirmed,

> 'All the people who were aspiring for political seats were against the programme. We were pushing the programme as the implementers with our stakeholders. Together with the provincial administration, we did a lot of campaigns until we were called "moles" and that we were campaigning for the government of the day.'[4]

Citizens feared that the government was collecting voter information in opposition areas, which would be used to rig the elections. Many eligible citizens refused to register for the pension, while others were not aware of the programme, due to the challenges bureaucrats faced in promoting registration in opposition areas during the lead-up to a tense and closely fought election. This has caused continued tensions between local bureaucrats and participants throughout the registration and validation processes.

Overall, variations in all aspects of state infrastructural power were evident across the four counties. Across all counties, bureaucrats faced resource scarcities and multiple pressures; however, these scarcities were most prevalent in Marsabit, especially relative to the resources required for programme implementation in remote communities. Bureaucrats in Homa Bay also experienced greater resource deficiencies compared to Nyeri and Nakuru, where bureaucrats felt better able to cope with provided resources. Peripheral areas like Marsabit and Homa Bay had less oversight from the central state over programme implementation than Nyeri and Nakuru, which are proximate to Nairobi. Finally, local bureaucrats in Marsabit and Homa Bay struggled to cultivate trust with local communities, due to political divisions between the central and local government (Homa Bay) and long histories of marginalisation from the central state (Marsabit). These dynamics have continued ramifications for policy implementation, as lower levels of state infrastructural power limit bureaucrats' ability to reach remote communities and render populations visible to the central state. This has implications for the distribution of the social transfers as the subsequent sections will analyse.

## 4. Implementation of social transfers at the local level

The National Safety Net Programme (NSNP), introduced in 2013, brought all the social transfer schemes under a single framework. It was connected to a World Bank financing mechanism that provided US$250 million in budget support, linked to the achievement of a series of disbursement-linked indicators related to expansions, effective targeting, grievance mechanisms, domestic budget support and other performance based indicators (MLEAA 2016). The introduction of the new Operations

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[4] As D'Arcy (2020) outlines, much of the infrastructure of the provincial administration remained intact after devolution, albeit under new names. Thus 'provincial administration' is still common parlance.

Manual in 2017 aimed to eliminate initial variations in targeting for the CT-OVC and OPCT based on the differing origins of these two programmes.

The CT-OVC began as a joint Government of Kenya and UNICEF pilot programme and drew on 'best practices' established by development partners, with geographic targeting based on the prevalence of poverty and HIV rates (Handa et al. 2010; Ouma and Adesina 2019). Early participant targeting procedures were similar to the current Operations Manual, albeit with less community participation throughout the process. On the other hand, the OPCT was a government-funded and government-led programme from the start. After the pilot, pressure from politicians quickly resulted in an expansion to cover all constituencies, and the visibility of the OPCT programme across all constituencies was prioritised over targeted poverty alleviation (Porisky *n.d.*). At the start of the participant targeting, procedures varied significantly across counties and relied heavily on the subjective assessments of local authorities, such as chiefs, village elders, clan elders and other community leaders, to identify households that met the categorical criteria – aged 65 or above and living in poverty – without input from the community or oversight from bureaucrats. A 2013 World Bank study found that in one county, 70 percent of beneficiaries were unlikely to fall under the poverty line, suggesting that there were significant variations in targeting performance across counties (World Bank 2013). In Kenya's competitive electoral environment, the focus has been on the broad expansion of existing social transfer programmes and new programmes like the Inua Jamii pension, rather than graduation of existing beneficiaries or building productive assets amongst transfer participants.

The following section shows that the level of state infrastructural power impacts targeting procedures. Where state infrastructural power is high, targeting tends to follow formal procedures. Where state infrastructural power is low, bureaucrats rely on locally embedded authorities to compensate for limited resources and authority, which can reduce transparency and oversight of targeting processes.

**Geographic targeting**

Since the introduction of the new Operations Manual in 2017, all programmes have, in theory, adopted the same targeting procedures, with four stages: geographic targeting; household listing by local committees; a proxy-means test; and community validation. Geographic targeting is done at the national level, with expansion determined by the SAU based on government poverty data (MLEAA 2016). An amendment to the programme expansion plan made in 2013/2014 stipulated that while 70 percent of the allocation of new beneficiaries should be determined by poverty level, 30 percent should be distributed evenly across all 290 constituencies (MLEAA 2016). Informally known as the '70-30 rule', this political bargain was made to reconcile the interests of the MPs – who wanted to ensure coverage of their constituencies – with the rationale of expanding social transfers to areas of high poverty. Geographic targeting largely maps onto poverty incidence (Figures 5 and 6), although counties receiving HSNP have lower coverage of CT OVC and OPCT, as households cannot benefit from more than one transfer (Figure 7). Except for the Inua Jamii pension, which covers everyone

**Figure 5. OPCT coverage by county**
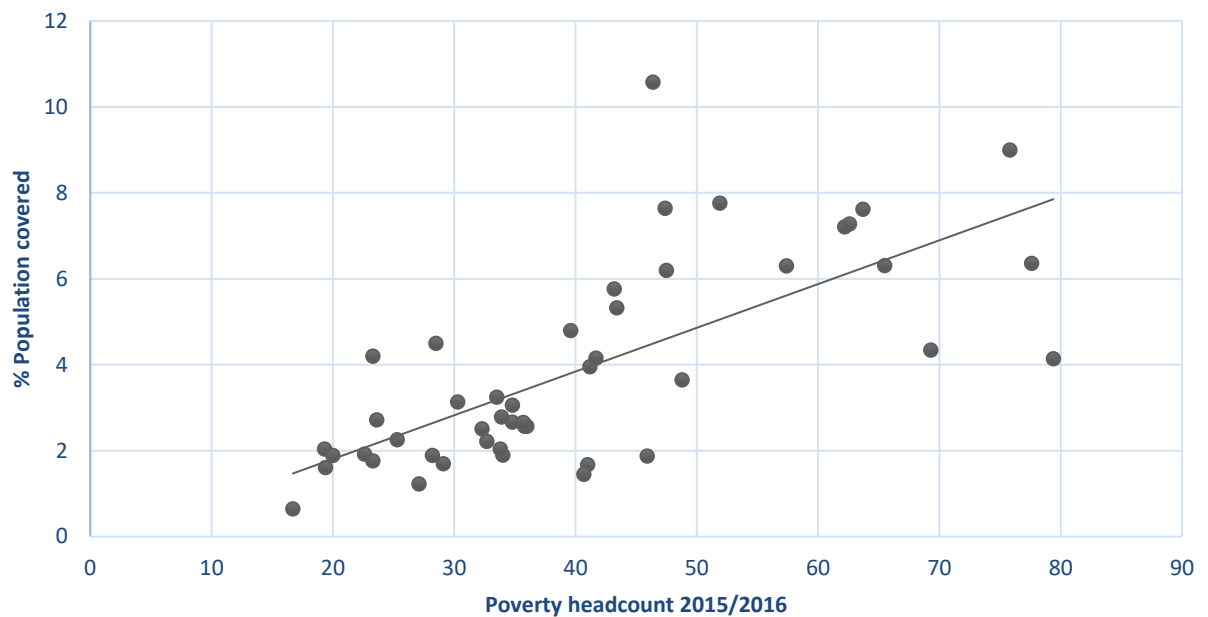


The SAU generally determines allocations based on poverty numbers gathered through existing programme enrolment and the Kenyan Integrated Household Budget Survey (KIHBS). However, when the allocations fall under the 30 percent coverage to all constituencies, the SAU generally determines the number of allocations to the sub-county level, and the CSACs then deliberate on how to divide these allocations within the sub-county. In Nakuru and Nyeri, these decisions were made based on poverty and population data and required unanimous agreement amongst all CSAC members, including bureaucrats and political nominees. As one volunteer children's officer in Nakuru relayed, there were occasionally attempts by political nominees 'representing the agenda of their political bosses' to alter location allocations, but 'every time this

**Figure 6. CT-OVC coverage by county**
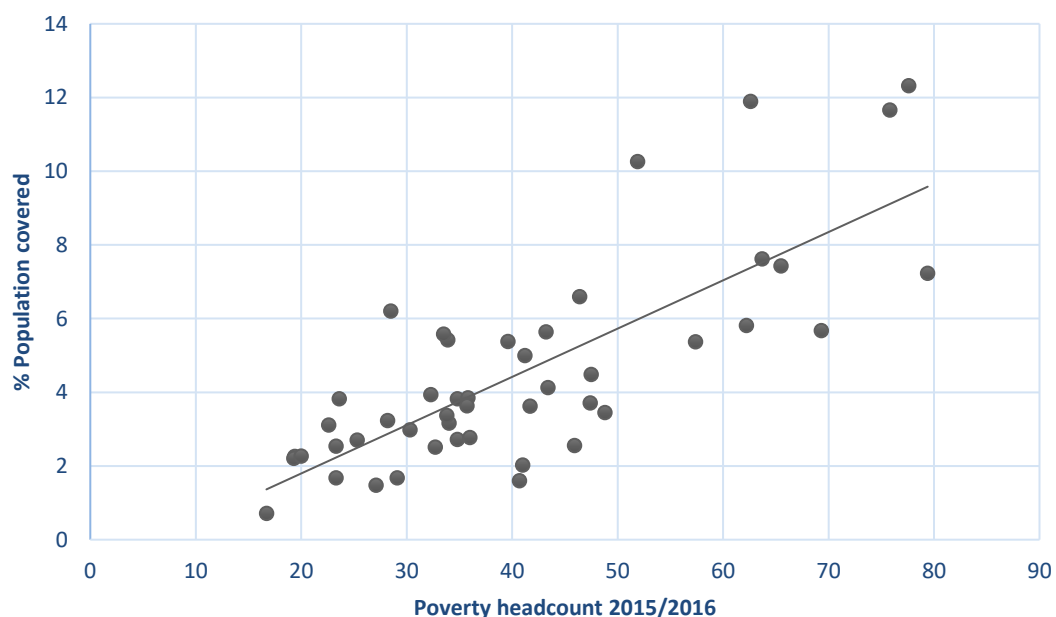
attempt would be there, the children's officer would be so adamant that the criteria provided is what must be followed, as it has been informed by certain statistics'. Ultimately, the CSACs were unable to exert any political influence over the locations to be targeted, which were determined centrally by the SAU.

Conversely, in Homa Bay, where trust between opposition politicians and centrally appointed bureaucrats is low, political representatives often influenced the allocations. One bureaucrat noted that the CSAC would often amend the locations to be targeted,

> 'If the CSAC committee verifies and decides now that another location was poorer then, and it is a bit better now from other locations, then we could not stop them from amending the locations, as long as the allocation [within the sub-county] remains the same.'

Other bureaucrats also noted they were 'just the joint secretary' of the CSAC and that the political appointees had the final decision-making authority. While it was unclear whether the decisions made by the CSAC led to the politicisation of distribution through the re-allocation of benefits to certain locations, it was evident that the involvement of the CSAC helped bureaucrats compensate for limited state infrastructural power. Bureaucrats noted that because they were not from the area, the connection of CSAC members to local communities was essential, with one bureaucrat claiming that they 'cannot work alone'. The influence of the CSAC, especially politicians' ability to influence geographic distribution within the sub-county, contrasts with how bureaucrats in Nyeri and Nakuru counties portrayed their relationship with the CSAC, where they viewed the SAU, and themselves as bureaucrats, as the final authority.

**Figure 7. Coverage of social transfers by sub-county research sites[5]**



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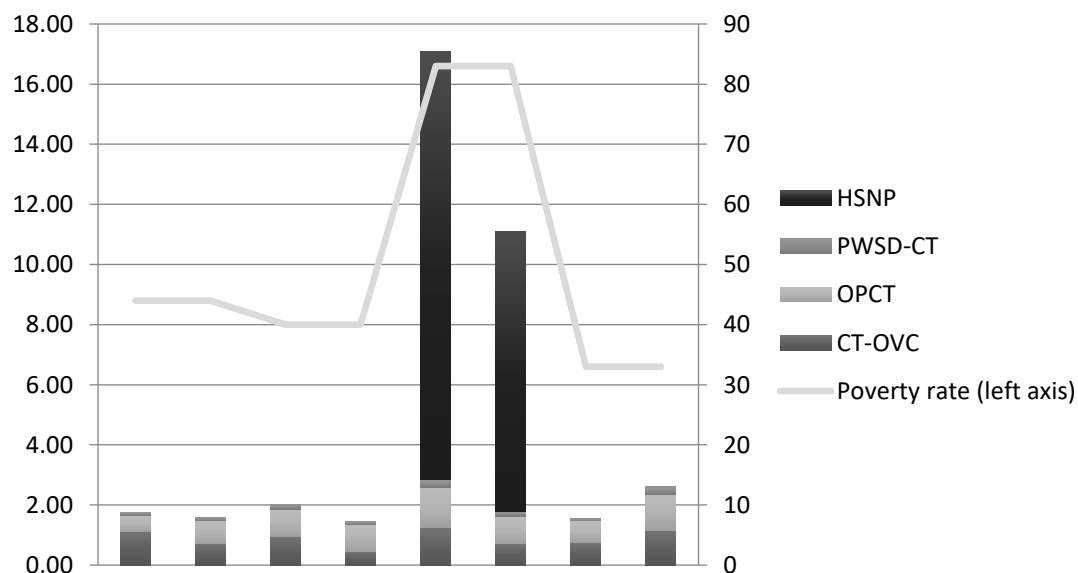
[5] Excludes the Inua Jamii pension, for which county and sub-county data is currently unavailable.

In counties with high levels of ethnic heterogeneity, including Marsabit and Nakuru, efforts to involve different ethnic groups in the targeting of social transfers depended on the perceived legitimacy of the state and the ability of the central state to make and enforce decisions. In Nakuru, the central government has successfully exerted control over geographic targeting. Histories of political violence have created incentives to mobilise state infrastructural power in a fine-grained manner to limit distributional grievances. In areas historically impacted by electoral violence, with high numbers of IDPs, the SAU makes targeting decisions down to the village level. As villages in these areas tend to be ethnically homogeneous, even when locations are ethnically heterogeneous, the SAU allocated numbers to villages based on population, essentially ensuring equitable distribution of the social transfers amongst ethnic groups. There is no opportunity for these numbers to be altered at the local level, and significant central government oversight in these areas to ensure equitable distribution. In Nakuru, the central state has enough information about the ethnic structure that it can make targeting decisions that are enforceable and viewed as legitimate by beneficiaries and other important local actors.

In contrast, in Marsabit, the central state lacks the information to make informed decisions about allocations in a diffuse pastoral society, and also the legitimacy among local actors to enforce those decisions. To determine the distribution of the social transfers within a location, bureaucrats rely on the authority of chiefs and clan leaders, as the central state lacks embeddedness in society. Moreover, even if the state had the information to make such decisions, it lacks the legitimacy for those decisions to be seen as credible within the community. Targeting criteria have often been a source of contention in Marsabit, where measures of poverty captured through household surveys do not always match with local understandings of poverty amongst pastoral groups (Little et al. 2008; Silva-Leander and Merttens 2016).

Thus, where state infrastructural power is high, such as in Nakuru and Nyeri, geographic targeting is centrally determined, with little influence from political actors. However, in Homa Bay, the disconnect between central and local politics reduces the programmatic influence of the central state and leaves room for politicians to alter distribution. In the Northern counties, such as Marsabit, infrastructural power is so weak that both bureaucrats and politicians are, at times, forced to allocate distribution to local traditional leaders.

**Participant targeting**

The second stage of targeting involves community sensitisation and recruitment of targeting committees. The procedures outlined in the new Operations Manual include sensitisation of the CSACs and sub-county officers, community awareness building through *barazas* (public meetings) within each sub-location, as well as recruitment and training of LTC members. This is followed by the listing of potential households through *barazas* organised by the chiefs and village elders, where the community jointly identifies the most vulnerable households for inclusion in the programme. In the two weeks after the *baraza*, community members may also personally contact an LTC

member to be listed in the programme. This list is provided to the sub-county officers and CSAC members for review and posted at churches, schools and the chiefs' offices for review by the community. After seven days, another community *baraza* will be held, where the community validates the list and identifies any inclusion or exclusion errors. Following this validation process, the list is sent to Nairobi and entered into the MIS. In the third phase, enumerators – who must be secondary school graduates – are recruited from the community and trained. Enumerators visit all listed households to collect household data, which is subject to a proxy means test (PMT) in Nairobi. Using the results of the PMT, potential beneficiary lists for each sub-location are determined per the expansion quota based on the long-list provided by the community. Households with multiple categorical vulnerabilities are given priority. Current rules stipulate that a household can only benefit from one social transfer, and the creation of a single registry for all social transfer recipients has enabled comparison of all participant lists. Finally, in the fourth stage, final beneficiary lists are subject to a final stage of community validation, where communities review and approve the beneficiary lists.

The role of chiefs and village elders in the implementation of the social transfers has been a subject of contention, as a 2017 survey by the Kenyan Ethics and Anti-Corruption Commission reported that the Chief's Office, composed of the chiefs, sub-chiefs and village elders, was the most corrupt office in Kenya (Ethics and Anti-Corruption Commission Kenya 2018). Early CT-OVC evaluations indicated that 'the chiefs handpicked [targeting committees] as opposed to community selection' and they frequently acted as the 'chairperson' of the selection committee (Kirera 2012: 48), supporting concerns that chiefs could manipulate distribution of the transfers for personal gain. Thus, previous versions of the Operations Manual did not include a role for the chiefs or village elders. However, given the importance of the chiefs in the day-to-day lives of rural villages, and their role in liaising between citizens and higher levels of government (Kirera 2012; Onyango-Ouma and Samuels 2012; Osborn 2020), the new Operations Manual provides a role for chiefs in 'supporting programme implementation' (Government of Kenya 2017: 10).

**Participant targeting in areas with high infrastructural power**

Despite the consolidation and creation of clear guidelines, in practice targeting is shaped by subnational variations in infrastructural power, including resources, oversight from the central state and the relationship of bureaucrats to local communities. In areas with high infrastructural power, such as Nyeri and Nakuru, targeting generally conforms to the formal procedures, with efforts by government officials, the CSAC and committees to oversee the process and ensure transparency in the targeting methods. High levels of infrastructural power enable strong oversight over targeting, as well as high levels of trust between state officials and societal actors, which facilitates programme implementation. Moreover, in these areas, politicians are unable to influence distribution, but often claim credit for programme expansion during electoral campaigns.

Across Nakuru and Nyeri, the targeting processes for the CT-OVC recounted by bureaucrats, chiefs, committee members and participants all closely matched the formal guidelines, with only minor limited deviations, and community members generally felt the selection process was transparent. One location in Nakuru reported that beyond their formal role in organising *barazas*, chiefs would oversee the targeting process by accompanying committee members in the identification and listing of households. In Nyeri, one location reported that committee members were not elected; rather village elders were appointed and trained by the SCCO. However, in other areas of Nyeri, efforts were made to ensure that neither the chiefs nor village elders were directly involved in identifying households, with one Nyeri-based SCCO asserting, 'We do not want the chiefs to run this programme, because we want to be as independent as we can'.

In contrast, the OPCT targeting process had changed over time. Initially, targeting was completed by the chiefs and village elders, who identified participants and sent the names to the SCSDO. OPCT participants frequently reported a lack of transparency during the initial targeting. In an oral report that was substantiated by bureaucrats and CSAC members, one participant in Nakuru noted that initially:

> 'the registration was also being done based on personal relationships … we saw scenarios whereby sometimes people would go visit the chief's office and would get registered for the programme [and] you would notice that these people do not deserve to be included in the programmes because they have families that are supporting them'.

There were similar reports in Nyeri, with one chief recounting, 'when I was left to do the identification, I would not sensitise the community. I only worked with the village elders'. However, across both counties, respondents noted that these processes had changed over time, as the social transfers were amalgamated under one umbrella, which both strengthened the targeting systems and increased the central government's oversight over the implementation of the OPCT. During recent OPCT expansions, the targeting processes more closely followed official guidelines, with minor variations. In Nakuru, respondents reported strong oversight from the Social Development Office, noting that the SDO 'walked together' with committee members to visit households during the targeting period. In Nyeri, as the programme evolved and targeting procedures were updated, expansions in the OPCT programme involved the community, who were tasked with identifying vulnerable households through *barazas*.

Across both counties, community involvement through open *barazas* was prioritised in both the CT-OVC and OPCT, providing community members the opportunity to ask questions and provide feedback on the targeting process and households chosen for inclusion. However, as one SCSDO noted, verification barazas were poorly attended and community were often reluctant to 'say they reject some of the names, as they might also be in the list and that would increase their chance of also being rejected'. Moreover, across all counties, vulnerable citizens attended *barazas* less frequently,

due to the opportunity costs associated with attendance, and were less likely to voice their opinions when they did attend.

In both counties, CSAC members monitored the implementation of the programmes, provided support during programme activities, such as targeting and registration, disseminated information about the social transfer programme criteria and procedures to the communities, and sometimes mobilised their networks to supplement the resources provided by the central state. While CSACs in Nyeri could not influence the initial selection of participants, they reviewed participant lists and would 'remove those who were not deserving' after following up with the identified household. Particularly in Mathira sub-county, politicians had nominated community and religious leaders who were active in the community and widely perceived, by both the community and government officials, as informed and embedded representatives of their communities. Thus, there was a perception amongst bureaucrats that 'there has been more transparency in the targeting process with CSAC in place' compared to having only the location committees, as it allowed for monitoring across locations.

Similarly, in Nakuru, the CSACs actively supported local bureaucrats by monitoring targeting exercises 'to ensure that transparency is maintained'. They used their networks to spread information about the programmes and targeting exercises. However, the CSAC had 'no mandate to enroll or remove anyone' from the social transfers, so while they would observe targeting exercises, they were unable to exert any influence on which participants were enrolled. Politicians would use their networks to spread information about the social transfers and the targeting procedures, and occasionally provide support. As one bureaucrat reported, 'the office of the MP or the office of the women's representative may give tents, chairs, facilitate us in terms of venues, among other things'. In this way, politicians would seek to be active representatives of the social transfers and participants in Nyeri and Nakuru noted that politicians would use the programmes during their political campaigns, noting their own involvement in ensuring that the programmes were brought to their constituents.

In general, sub-county offices were able to effectively coordinate politicians, committees and community members to facilitate targeting exercises that conformed to official guidelines. Strong oversight and high levels of trust between the state and the community facilitated implementation. This was evident throughout the registration for the Inua Jamii pension in both counties. Across the country, SDOs faced significant pressure from coordinators within the SAU to register all eligible beneficiaries in the two months prior to the August election, with little monetary facilitation from the central government. In both Nakuru and Nyeri, SDOs coordinated registration at the sub-county offices with the help of volunteers. Information about the programmes was spread via the radio, chiefs and village elders. SDSDOs borrowed vehicles from NGOs and other government offices to travel to more remote locations to register potential participants.

In Nyeri, alignment with the ruling party has led to high levels of state infrastructural power, including bureaucratic embeddedness within the communities, which has led

to relatively strong oversight over targeting. In Nakuru, histories of ethnic politicisation and the corresponding need for neutrality in the distribution of social transfers have led to the mobilisation of state infrastructural power for effective distribution. This has included high levels of oversight over targeting, including fine-tuned geographic targeting to ensure equitable distribution amongst ethnic groups.

**Participant targeting in areas with low infrastructural power**

In contrast, areas of low infrastructural power saw greater variation in targeting procedures. While targeting procedures largely followed the key steps, bureaucrats frequently compensated for low infrastructural power by involving locally embedded actors, such as chiefs, village elders and clan leaders, in the distribution of social transfers, with little oversight from the central state. In areas where most households fall under the poverty line, this frequently raised questions amongst community members as to whether the social transfers were being distributed to the most vulnerable individuals, given that the inclusion of households with other sources of support on the initial list might lead to the exclusion of extremely poor households.

Across Homa Bay, the targeting procedures for the social transfers varied considerably from location to location and programme to programme. Relatively low levels of state infrastructural power, compared to Nyeri and Nakuru counties, including limited resources and a lack of bureaucratic embeddedness, reduced the level of oversight over targeting procedures, both from the SAU and bureaucrats. Moreover, Homa Bay is a staunch opposition area, and political divisions between the central state and local levels meant that bureaucrats sometimes lacked familiarity with the local communities they were meant to serve and found it difficult to cultivate trust with local actors. Bureaucrats therefore frequently relied on the local knowledge of chiefs and village elders to make targeting decisions, such as identifying participants for inclusion in the initial lists, which are then verified by the PMT, leading to a perceived lack of transparency.

Within the CT-OVC, pilot locations saw broad inclusion, with all households supporting orphans and vulnerable children included in the programme. In the early years, there was significant oversight and funding through the World Bank and other development partners, which ensured that committees were trained and the formal targeting procedures effectively followed. However, with the expansion of the programmes and their consolidation under the NSNP, oversight over programme procedures has reduced. Locations more recently covered by the CT-OVC were more likely to see variation in targeting procedures, consistent with reduced oversight under SAU. Recent expansions have been small and so bureaucrats have frequently relied on BWCs to help identify potential beneficiaries for inclusion. Thus, rather than creating a new committee for an expansion of ten spots or less, existing committees were used to identify potential CT-OVC participants. However, this an expansion of the BWCs' formal roles. Not only do BWCs not receive training on targeting, there also tended to be more limited oversight over targeting during these expansions. Bureaucrats in both sub-counties included in the study also reported enlisting CSAC members as

volunteers to compensate for resource deficiencies, assigning them tasks, such as attending *barazas*, particularly when sub-county bureaucrats were engaged in other tasks. In focus groups, community members sometimes raised concerns that households had been overlooked. Particularly, while validation *barazas* were held at the end of the targeting process, they were widely viewed as ineffectual forums for community debate, with one SCCO noting that transparency was 'challenging because at the *barazas* during validation, no name will be dropped, everyone will say yes and later … you will get complaints that some people are in the programme they don't have orphans'.

In contrast, formal targeting procedures for the OPCT were not closely followed and there were variations in targeting between sub-counties. In one sub-county included in the study, SCSDOs would have the chiefs select a specified number of people from their location for inclusion in the OPCT. Only these selected households would be visited by enumerators for household data collection. Thus, while the PMT serves as a 'check' to ensure households meet the base poverty and categorical criteria for the programme, decisions about who to include in the programme were actively made by the chiefs and sub-chiefs. In another sub-county, half the social transfer participants interviewed identified the chief as the one directly visiting their households, while the other half mentioned that they went to the Chief's Office to fill the forms. Furthermore, while a validation *baraza* was held, participants noted that the community was not given the opportunity to make any significant changes in the programme. Similarly, in the other sub-county included in the study, the SCSDO reported training enumerators who would 'walk around with the chiefs and some elders, identifying those households where elderly people come from'.

The SCSDOs interviewed reported that because the Social Development Office had limited resources, it was necessary to involve the chiefs in the social transfers. They argued that the chiefs helped legitimise the targeting process because the chiefs 'are the people who know the challenges, the poverty levels, the deserving cases … now we leave it to them'. The SCSDOs often noted that they had neither the authority nor the information about the community to make targeting decisions, and therefore would rely on the chiefs, who are widely seen as powerful local authorities. This was noted widely by both community members and bureaucrats, with one bureaucrat simply stating, 'You cannot engage any community without going through the chief or the sub-chief – those are our eyes on the ground; that is the structure of our governance'.

However, bureaucrats were aware that the chiefs dominated the process of identifying potential beneficiary households, and that 'at times because of vested interest you find that the chief has given us his mother or at times his cousin who is not deserving or a committee member brings the wife who is not deserving'. One bureaucrat argued that targeting 'transparency is 50 percent, this because these chiefs are not transparent, as they want to fix their people'. This influence was for personal rather than political gain, as some chiefs took the opportunity either to include friends or family members, or to accept bribes in exchange for entering names on programme lists. Low state infrastructural power resulted in limited oversight over targeting procedures and there

were limited avenues for community engagement in the process. One CSAC member noted that targeting was left to the chiefs, and the SCSDO did not attend *barazas*, as it would 'generate a lot of unnecessary questions from the community members and so the chiefs were assigned that role'. When asked about the *barazas*, bureaucrats often expressed that, through experience, they had found that the *barazas* were ineffective sites for public discussion. One SCSDO noted that the community 'don't even say [if there are issues with targeting] because the chief will finish them … they fear they may be attacked when they get back home' for speaking out.

Bureaucrats also tended to defer to politicians, both in CSAC meetings and in their responses to targeting requests from members of the County Area. One SCSDO explained that the CSAC was a method of legitimising the involvement of MPs in the social transfers, noting,

> 'You know this programme has always been used as a campaign tool for everyone who wants to be the area MP. They have always talked about it. When they were not being involved, the MP would visit my office even twice a month to talk about expansion of the programme. So, bringing them on board was a way of sharing the challenges we faced'.

CSAC members also understood their role as political. While members helped compensate for limited infrastructural capacity by monitoring *barazas*, mobilising the community during targeting and disseminating information to the community, they also felt obligated to relay information about the social transfers to politicians, so it could be used during campaigns, when they address 'the *wananchi* [citizens] in any gathering in the community'.

In Homa Bay, divisions between the central state and local political actors were also evident throughout the registration for the Inua Jamii pension, as previously discussed. Moreover, after the election, during the validation and enrolment processes, which were ongoing during the time of the fieldwork, both bureaucrats and beneficiaries felt that information about the programme was unclear. Changes to the programme criteria after the election resulted in the disqualification of anyone who received a government pension, regardless of the amount. In Homa Bay, this caused problems for bureaucrats, who were accused by the community of removing the names of beneficiaries. One bureaucrat explained,

> 'You know we live in a political world, even the people we targeted, most of them their names have not appeared in the list of those shortlisted for the programme from Nairobi, so we are also having a lot of challenges, because they [the community] claim that we are the ones who removed their names from the list.'

The community's distrust for the central government and the process of registration has continued after the election. Across the entire country, the beneficiary validation

process was extensive and the first payment was delayed by a several months. In Homa Bay, where trust between citizens and the central government is already low, this caused problems for bureaucrats at the frontlines of delivery.

In Marsabit, low levels of state infrastructural power similarly impacted targeting procedures for both the OPCT and the CT-OVC. Bureaucrats frequently compensated for low state infrastructural power, particularly their lack of resource and knowledge about the local community by involving chiefs, village elders and clan leaders in the targeting process. In both sub-counties covered by the research, the targeting procedures for the CT-OVC reported by the SCCO often differed from reports from other respondents, including the chiefs, village elders and beneficiaries. While the CT-OVC roughly followed the formal steps, with sensitisation *barazas*, identification of households, household data collection by enumerators and validation *barazas*, the chiefs were actively involved in the process of identifying households. The county commissioner noted that they often had to rely on the chiefs, because of the geographic expansiveness of the county and because the chiefs were seen by the community as legitimate authorities within the locations. The involvement of the chiefs in the targeting process thus compensated for the limited infrastructural power of the state, by providing both additional human resources to help throughout the intensive targeting process, and locally embedded knowledge about the community.

When asked about the efficacy of the targeting system, the county coordinator noted that

> 'sometimes the chiefs do a wonderful job, other times they do bad job. Overall, I would say that the targeting system is 80 percent effective in identifying those who are most vulnerable. You see, we do not know these people, so we give them [the chiefs] an opportunity to identify the vulnerable members in their communities'.

Reports from the community varied, with many community members lamenting a lack of information about targeting procedures. Some social transfer participants and the BWCs reported that some households without orphans were receiving the CT-OVC and some had even falsified death certificates so they could claim they were caring for orphans. Such reports indicated that some community members felt there was a lack of transparency in the distribution of the CT-OVC, with one BWC member noting, 'we approached both the children's officer and the chief but our complaints just sleep on their desks'. Moreover, in Marsabit Central, village elders confirmed that there was no community involvement in the targeting, which contributed to what was perceived by the community as a high level of inclusion and exclusion errors. One village elder noted that, during the registration for the CT-OVC, the village elders were simply told to bring the names of ten households with orphans and vulnerable children living in their village and that the names would be submitted to the chief and forwarded to the SCCO. Bureaucrats also noted that they faced difficulties targeting transhumant communities, which were highly mobile, making it difficult for the state to effectively register and verify vulnerable populations. One bureaucrat explained,

> 'In Moyale, the community they keep on moving from one area to another, so you could maybe target this community today in sub-location A, then when you go back to that sub-location they have already shifted with their animals to another geographical area. So, there were times we used to carry out the exercise under the tree. That is when we relied a lot with the local administrators, the chiefs and assistant chiefs.'

The programme design requires households to be visited multiple times to collect household data, register the participants and verify required documentation. This requires the state to have repeated physical access to transhumant populations to collect detailed household and biometric data which is required for registration and payment.

Similarly, targeting for the OPCT did not follow formal procedures and relied heavily on the chiefs, village elders and clan leaders to organise *barazas* and identify participants. In one sub-county, village elders held open meetings, where the community was given the opportunity to identify participants. In another sub-county, the SCSDO reported deferring to the judgement of a committee composed of the chiefs and section heads for each of the clans who selected participants for the programme. One clan elder reported,

> 'In 2016, the SCSDO wrote to the chief of my location that he should bring him names of 20 elderly people in his location. The chief called us to his office as the elders from Borana, Kona and Garre communities to give him names of poor elderly people. As the elders of these ethnic groups, we proportionally shared the number of beneficiaries per ethnic group. As the Garre community, we got six beneficiaries, one from each sub-clan. The rest were shared between seven Borana sub-clans and seven Kona tribes.'

This was confirmed by a chief who reported, 'the chiefs do not decide on their own, it is done through the participation of stakeholders' in the community. Once the list of participants is approved by the committee, the chiefs sign the document and forward it to the SCSDO. This reliance on local authorities is exemplified through the registration for the Inua Jamii pension. Bureaucrats noted that they conducted the registration with 'zero budget' and so had to 'dig in their pockets' to find money to make calls to chiefs in remote locations to mobilise the communities for registration. Another bureaucrat noted that to reach remote locations, they had to involve the county commissioner, who asked the chiefs to forward the names of everyone aged 70 and above to the SDO for registration. Bureaucrats rely on the chiefs to supplement for limited state infrastructural power, but doing so risks the exclusion of eligible beneficiaries who may not receive information about the programmes

Across Marsabit County, oversight was limited, as local bureaucrats faced significant resource pressures. Unlike other counties, they were unable to draw on the time and resources of the CSACs to supplement low infrastructural power, as none of the

committees were active at the time of fieldwork. In one sub-county, when the CSAC was created in 2013, the MP nominated family members and a former campaign manager to the committee, as a way of rewarding them through the sitting allowance. The CSAC had stopped meeting when the SAU stopped funding the sitting allowance. A new CSAC had yet to meet, because politicians had not yet appointed representatives. The CSAC in Moyale was similarly non-functional, due to financial constraints. This contrasts with counties like Nyeri and Nakuru, where many CSAC members would continue to meet and assist with programme implementation, even when the SAU was not compensating them for their time. One bureaucrat reported that the CSAC 'was forced onto the ministry by the MPs, because if the ministry did not approve the CSAC, the MPs would not have approved the ministry's budgets'. They noted that MPs wanted to capitalise on the social transfers, to 'expand their popularity', by making it 'appear as if they were the ones who had brought the programmes to the people'. They noted that this credit-claiming was 'more pronounced' in the OPCT than the CT-OVC. There was little awareness of the CSAC and its functions outside of the sub-county offices. Social transfer participants knew only the chiefs, village elders and sub-county officials as the 'custodians' of the programmes.

Overall, where state infrastructural power was low and the authority of the central state reduced, due to either historical or political marginalisation from the central state, there was less oversight over the targeting processes and greater involvement from local authorities, such as chiefs, village elders and clan leaders, to compensate for resource deficiencies and lack of state legitimacy. In Marsabit and Homa Bay, targeting procedures for the social transfers tended to diverge from formal procedures, with local actors substituting for low infrastructural power.

## 5. Conclusions

Sub-national variations in state infrastructural power have shaped the implementation of social transfer programmes in Kenya in profound ways. Areas with proximity to the capital and close historical ties to the central state have the capacity and oversight to implement programmes according to official state guidelines. Overall, this results in greater transparency at the local level, with implications for how beneficiaries view the social transfer programmes. However, in areas that have been historically marginalised by the central state, bureaucrats compensate for the lack of state infrastructural power by relying on locally embedded actors, including CSAC members, chiefs, village elders and clan leaders. In some cases, the involvement of these locally embedded actors has led to inclusion and exclusion errors, as local actors opt to include family members or friends in the programme, leading to the exclusion the most vulnerable households. In other cases, the involvement of local actors has resulted in a distribution of social transfers that is perceived as 'fair' according to local understandings of poverty.

The impacts of state infrastructural power on targeting have been particularly stark when comparing ethnically diverse areas, where the central state is keen to ensure an equitable distribution of social transfers amongst different ethnic groups to avoid

fuelling ethnic tensions. In Nakuru county, the state is embedded in society and has the capacity to collect data down to the village level and the legitimacy to enforce targeting decisions. This enables the central state to make decisions regarding the allocation of social transfers down to the village level. However, in Marsabit county, the state lacks the capacity and legitimacy to make and enforce such decisions, and thus the involvement of a multitude of societal actors in the targeting process is necessary to ensure equitable distribution amongst different ethnic groups. Thus, in counties with a high level of ethnic diversity, there are efforts to ensure that the implementation of social transfers balances the involvement of multiple ethnic groups. However, the form that these efforts take depends on the perceived legitimacy of the state in the place of implementation. In peripheral areas, to compensate for limited state infrastructural power, bureaucrats are forced to rely on local officials, whose embeddedness in local communities affords them greater access and legitimacy.

Variations in political competition and party politics play less of a role in the local implementation of the social transfers than has been predicted by the extant literature. Politicians pushed for the broad expansion of the social transfers to all constituencies and the creation of Constituency Social Assistance Committees headed by the area MP. While this has allowed politicians to put their face on the programmes at the local level, politicians' ability to impact the distribution of the social transfers is limited. Clear formal guidelines in the new Operations Manual and the consolidation of programmes under the NSNP have led to stronger oversight of programme design and implementation by the government. This strong central oversight has been motivated in part by concerns over political capture. As noted by Sugiyama and Hunter (2013), the design of policies can help bypass political capture of social programmes, but where infrastructural capacity is weak, such policy design may not be sufficient. In opposition strongholds, where there are significant divisions between central and local governments, there was some evidence that politicians influenced the geographic distribution of social transfers when provided the opportunity, although it was unclear whether their involvement compensated for limited infrastructural power or whether it was politically motivated. However, given that Homa Bay was the only opposition stronghold included in the study, further research of the influence of the CSAC on local distribution of social transfers in other opposition strongholds would be necessary to draw strong inferences.

Finally, while MPs frequently claimed credit for the social transfer programmes across all counties, this was most likely in incumbent strongholds, where MPs were actively involved in their communities. In opposition strongholds, the framing of the social transfers was aimed at increasing individual credit for the programmes, while minimising the role of the incumbent party. As Kramon (2019) argues, clearly communicated formal guidelines can minimise political interference in social transfers. However, state infrastructural power is also key to understanding opportunities for local interference in targeting procedures at the local level, either for local or political gain. Where resources are limited and bureaucrats lack embeddedness within the communities they serve, they are more likely to rely on locally embedded actors, such as politicians, chiefs and clan leaders, to help compensate for limited state

infrastructural power, which has a range of implications for the communities where social transfers are implemented.

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