




Rethinking Digitisation

A toolkit on how to shift practice to inclusive, citizen-centric digital governance in Kenya.

POLLICY



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Toolkit Background

From the start of 2024, OGP has been conducting an active research seeking to understand how inclusive Kenya's digital governance is. This research's main findings and particularly the recommendations that were brought up by the OGP community under the digital governance structure are hereby informing the ideas being advanced in this toolkit. One of the most critical findings from the research is that government priorities with regards to digital governance continue to be efficiency and modernisation in the public service and revenue generation. While these priorities are important, they often lack correspondence with citizen realities. For example, as we explore below, while the government's effort to onboard public services onto a central digital platform, eCitizen, is an important way for decreasing queue lengths and therefore enabling remote contact between state and citizen, many Kenyan citizens lack access to the digital devices and often cannot afford the data required to access those services online.

Therefore, this toolkit supports digital governance in thinking through how to make Kenya's digital governance more "citizen centric"- an idea that necessarily has to begin with finding alignment between government priorities and citizen realities. This is elaborated on more deeply across the toolkit as well as along the lines of OGP's key guiding principles of accountability, transparency and public informed decision making. With regard to broader structural changes to government's goal setting and execution therefore, this toolkit proposes a long term thinking and iterative approach that gets players within this space to think about how these strategic goals align with the citizen's priorities as well.

Who is the toolkit for?

The toolkit has been designed for stakeholders shaping and implementing digital governance in Kenya. For the government, it is meant to prompt the thinking that goes into the design of policies and other solutions which are aimed at "digitising Kenya" to ensure that the underlying visions and guiding paradigms to the development of these place the Kenyan at their heart and not periphery.

For civil society, this toolkit is meant as a tool to guide their examination of how digital governance is designed and implemented in a way that promotes government for the citizenry. While these are the core target audience, this toolkit is designed for any stakeholders from members of the public to development partners and private sector in situating the benefits of digitisation to the citizens through models offered in this framework.

How should you use this toolkit?

This toolkit should be used by actors who are interested in institutionalising a citizen-centric digital governance. It is designed to support actors in cultivating a practice of thinking about inclusivity as a necessary - not peripheral - component of building digital governance. It does this through the three steps explored below which are meant to guide stakeholders' thinking through problem definition of misalignment in digital governance priorities to eventually working towards closing these gaps through the criteria identified as key to inclusive digital governance. This toolkit can be engaged with individually, but we encourage working through its questions and exercises with colleagues in both civil society and government, to cultivate a rich analysis.

According to the report that informs this toolkit's development, there are three overarching steps which need to be taken towards realising more inclusive and citizen centric digital governance for Kenya's context:

Step 1: Understanding and exploring citizen realities as they relate to digital governance

Step 2: Determining state priorities and the gap that may exist between state priorities and citizen realities

Step 3: Using gender data, public participation and systematic coordination in order to close the gap between state priorities and citizen realities

Below we elaborate on the rationale behind each step and the questions that should be considered in fulfilling each step. After we have explored each step, we then provide a case study exercise, based on past and ongoing digital governance interventions, in order to support digital governance actors in exploring how to apply this approach in the policy design process.

Step 1: Understanding and exploring citizen's realities as they relate to digital governance

Through the background research to this toolkit, it was found that at present, Kenya's digitisation appears to happen through a digital first paradigm. This paradigm essentially prioritises efficiency, speed, broad based adoption, mass connectivity and resource mobilisation as primary policy drivers to digitisation over citizen's impact by the country's digitisation efforts. It is important here to highlight that while some of the policy making does speak to citizen first approaches, the research found the digital first to be the predominant approach as seen through the implementation lens over the years to present in the country. With regard to citizen centricity of digital governance, a digital first approach entrenches policy planning and execution which is out of line with the true needs and realities of its peoples. These realities include low income levels, deep patriarchal cultural and domestic norms that negatively impact women and girls, limited digital literacy, inaccessibility of smartphones, electricity and ICT hubs and affordability of digital public services.

Questions for a better practice

It is important for policy makers to have an inclusive framing of the problem in order to design solutions that fit the needs of citizens. Solutions that are designed otherwise, often work to generate solutions that only respond to problems as identified by government actors, rather than problems experienced by citizens or solutions that compound existing challenges experienced by problems. The questions below support actors in developing an inclusive framing of the challenge a digital governance intervention is working to respond to:

- What is the problem that digitisation is seeking to solve and why is the problem there in the first place?

Rationale: This line of thinking is useful to make sure solutions are being brought on to address existing problems or needs and not as some inevitable solutions or fads.

- Who is experiencing the problem? What is their background and context in relation to digital governance? Who has the most need for the solution and are they able to access the solution?

Rationale: There is no 'average' citizen - which it is to say it is important to avoid generalisation. It is important to have a clear, analytical view of each category of citizen who will be impacted by a particular digital governance initiative.

- Have the 'most affected' been consulted in identifying the problem and the solution?

Rationale: It is important that these answers are best found through interacting and hearing from the persons whom policymaking reform is being planned and designed for since they understand their contexts, realities and needs best.

- Have you continued to assess the shifting context and the degree to which the solution is solving existing and emerging problems over time?

Rationale: Meaningful policymaking is iterative since it always seeks to define the problem contextually and correctly and given that contextual variables are ever changing, policymakers have to commit to long term iterative processes if they are to design policies that best serve their citizenry at all times.

Step 2: Determining state priorities and the gap that may exist between state priorities and citizen realities

This second step in developing a more citizen-centric digital governance includes firstly, clearly stating the objectives that the state wants to achieve in implementing a particular digital governance intervention. This enables actors to then describe the gap between these objectives and the citizen realities explained in step 1. Step 2 is critical for two reasons. Firstly, in the study we found that while government and CSO actors know citizen realities and how these realities shape how citizens experience digital governance, one critical aspect missed in the design process is an exploration of the discrepancies between government priorities and citizen realities. Secondly, in the study, research respondents highlighted a critical contradiction: state digital governance priorities are often strategic for all actors except citizens. As respondents noted, Kenya is known as the ‘Silicon Savannah’ given its position as a hotspot for innovation and digital advancement. However, the current articulation of the government’s digital economy vision seems to be focused on driving local consumption of foreign digital technologies or providing outsourced labour to improve these same digital technologies at low, exploitative wage points. For example, the government promotes data labelling for Big Tech companies as a pathway for mass employment, however Kenyan content moderators publicly decry exploitative pay, labour organising barriers and high levels of trauma associated with reviewing graphic content and other such deplorable working conditions. As such step 2 also supports actors in approaching citizen wellbeing and growth as a priority in determining digital governance strategic priorities.

Questions for a better practice

- What are the state’s strategic digital governance priorities in delivering X digital intervention?

Rationale: Clarity in these priorities is needed to allow different stakeholders working in tandem with the government to advise and guide digital governance decision making which is more considered than haphazard.
- Are diverse voices of stakeholders included in determining these priorities?

Rationale: While governance predicates competing interests at all levels, it is crucial, for citizen centric governance, to have an equitable approach that does not put some groups’ interests over others.
- Do these strategic priorities compound or solve the digital governance-related challenges being experienced by citizens that you outlined in step 1? Do they generate new forms of exclusion? Explain your answer.

Rationale: It is important that digital governance priorities avoid generating and compounding existing forms of exclusion. The less they generate exclusion the smaller the gap between citizen realities and state priorities.
- Do these strategic priorities leverage and cultivate citizen skills and talents? Explain your answer.

Rationale: This question asks digital governance actors to incorporate citizen needs, wellbeing and opportunities for growth in developing strategic digital governance priorities. It shifts thinking about inclusion from being a source of regulation into a source of strategic opportunity.

Step 3: Using gender data, public participation and systematic coordination in order to close the gap between state priorities and citizen realities

The background study to this toolkit reveals three key criteria for assessing the extent to which a particular intervention is inclusive: meaningful public participation processes, gender data-informed decision making and systematic coordination. These approaches are hereby incorporated in this last step to support digital governance actors in assessing the inclusivity of the approach taken to digital governance interventions, and developing a systemically inclusive approach to digital governance, rather than a haphazard and reactive approach as cautioned against in this study.

In step 3 we advance solutions to the challenges associated with each digital governance intervention that was identified in step 1 and 2. In order to begin the work of systematically adopting an inclusive approach to digital governance, we first expand on each of the three criteria by defining some key outcomes.

1. Meaningful public participation processes

- A digital governance public participation framework that requires government authority to define most negatively impacted groups in collaboration with civil society; accessible modes of notifying public about public participation opportunities; accessible time and place for physical engagements with each priority group; explanation of roll-out plan and potential negative and positive impacts of each digital governance intervention
- Actionable and inclusive feedback loops: citizen-validated reports on information captured through public participation drive; clear report on how state authority incorporates citizen feedback into final decision making.

2. Gender data-informed decision making

- Collection of data on the impact of policies on citizens with a prioritisation of gender data as well as the measurement of the progress of initiatives by the government on all groups of people.
- Broadening of perspectives on data to include qualitative, descriptive and nuanced forms of data.
- Prioritise integration of data of historically marginalised groups and communities.

- Conducting policy research which is contextual and is close to the implementation of strategic priorities jointly identified.

3. Systematic coordination

- Leadership in both government and civil society should approach inclusion as a critical priority for digital governance policymaking in order for it to be reflected in policy implementation.
- Joint agenda setting between development partners and government officials is required to ensure ownership over inclusion-focused digital governance efforts.
- Learning should be a key principle of policy design. Here, policymaking should be approached as a long term and iterative design and implementation process; a flexible and adaptable process through which actors learn from past mistakes; collaboration and interaction among MDAs is promoted.
- Coordination of systematic implementation of policies and regulations in planning implementation of each digital governance intervention.
- Data interoperability is a key priority. Here descriptive, qualitative and quantitative databases are shared between MDAs whose work is relevant to a particular service delivery intervention to promote tailor-made, evidence-based service delivery that responds to complex lived experiences.

Using inclusive digital governance approaches to solve for the priority/reality misalignment

In this section we have developed an activity to support toolkit users in experimenting and engaging with the steps towards inclusive digital governance that we have outlined above in an ideational exercise. There are two case studies focusing on two current digital governance initiatives: eCitizen and Maisha Namba. Under each case study there are 4 activities that are designed to support toolkit users in understanding the degree of alignment or misalignment between state priorities and citizen realities and in turn using the three approaches advanced above (Meaningful public participation processes, gender data-informed decision making, systematic coordination) to provide recommendations for resolving misalignment.

Case Study 1: eCitizen School Fees Digitisation

Contextualising the initiative

e-Citizen is Kenya’s digital government portal through which the government facilitates access to a range of government services from identity cards to business registration, initially launched in 2014. In June 2023, it was announced that the government had onboarded 5,000 government services onto the platform in an effort to “enhance efficiency and inclusivity in service delivery”¹. By December 2023, it had been communicated that the state had onboarded 16,000 services onto the platform. Further, in accessing public services through the digital platform, citizens are requested to pay a Ksh. 50 convenience fee, along with the service fee payable using digital payment solutions including MPesa.

In early 2024, as part of this broader onboarding efforts, a directive was issued that parents would begin paying school fees for primary to tertiary education institutions through eCitizen. The government rationalised its decision as part of a larger bid to curb fraud and misuse of education-related funds. On the other hand, various CSOs and citizens highlighted the potential for exclusion of large sections of Kenyan society given the Ksh. 50 transaction fee and the requirement for upfront payment of fees in full, in monetary currency. Through the diverse personas below we elaborate on these and other challenges:

Activity 1: Determining State priorities

In this activity explore what state priorities are being actualised through the rollout of eCitizen.

Which state priorities is the government pursuing through e-citizen? (Choose as many as you would like)

- A) Modernisation
- B) Efficiency
- C) Revenue Generation

How does eCitizen enable the state to achieve the priority/ies you’ve chosen above:

¹ “We’re 80% done onboarding state services on digital platform – Ruto.” 2024. The Star. April 22, 2024. <https://www.the-star.co.ke/news/2024-04-22-were-80-done-onboarding-state-services-on-digital-platform-ruto>.

Activity 2: Exploring citizen realities

In this activity explore how different citizens would be impacted by the rollout of eCitizen.

Persona 1:

Aisha

Context/ Realities:

Aisha is 50 years old and runs an organisation that fights to create access to public services for remote and nomadic communities in Northern Kenya. She has 2 children, who have graduated and have jobs. She uses her digital devices and internet for work and leisure. However, she works and lives among communities with low literacy and income levels, and many people she works with do not have documents to prove their citizenship.

Challenges likely to be experienced in eCitizen rollout

Opportunities for growth through eCitizen rollout

Perona 2:

Joe

Context/Realities:

Joe is 45 and employed in MICTDE and has a regular salary. He uses the internet regularly for work and leisure through his laptop or smartphone. Joe is married with 2 children in high school. Joe lives and works in Nairobi.

Challenges likely to be experienced in eCitizen rollout.

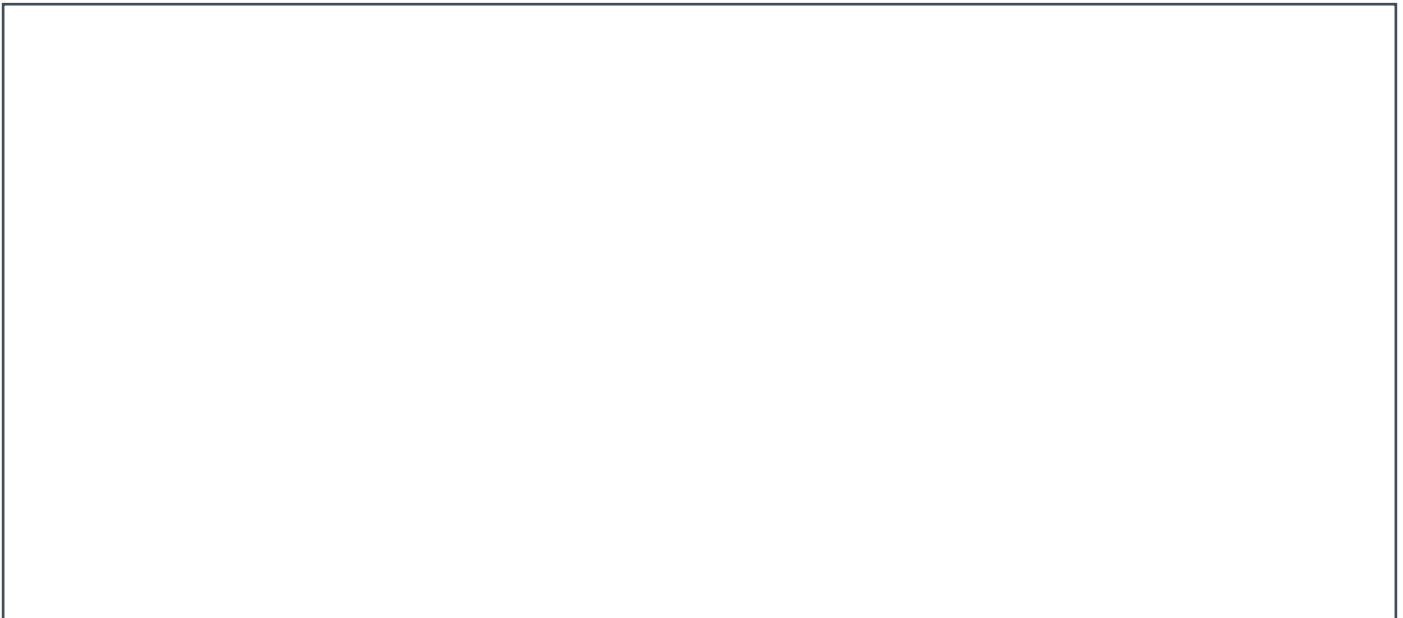
Opportunities for growth through eCitizen rollout.

Perona 3:

Emmanuel

Context/Realities:

Emmanuel is 23 and just graduated from a Computer Science at Masinde Muliro University. He has not found a job opportunity yet, so he is living at home with his parents who are teachers and his younger siblings in a village in Butere, Kakamega. He has a smartphone and a laptop, but cannot afford WiFi or regular data bundles. He is thinking of doing online gig work to support him and his family.

Challenges likely to be experienced in eCitizen rollout.**Opportunities for growth through eCitizen rollout.**

Perona 4:

Shifra

Context/Realities:

Shifrah is a 36 year old tailor and mother of six living on the outskirts of Nairobi. She acquired a smartphone during the COVID pandemic after prudently saving for it because her older kids(16, 14 and 11) needed it for online studies during the lockdown. While she has a primary education, her predominant online use is with Whatsapp which she uses to communicate with family and friends which use is also occasional since her husband believes her “over using” the internet means she is talking to other men which in a way controls her phone usage.

Challenges likely to be experienced in eCitizen rollout.

Opportunities for growth through eCitizen rollout.

Activity 3: Reflect on whether there is alignment or misalignment between state priorities and citizen realities in rolling out eCitizen

Guiding questions:

- Is there alignment or non-alignment between state priorities reflected in this digital governance intervention and citizen realities?
- Do these strategic priorities compound or solve the digital governance-related challenges being experienced by citizens that you outlined in the activities above? Do they generate new forms of exclusion?
- Do these strategic priorities leverage and cultivate citizen skills and talents?
- Include other considerations too.

Activity 4: How would you use the 3 approaches (Meaningful public participation processes, gender data-informed decision making, systematic coordination) to promote more alignment between state priorities and citizen realities?

Aspect of misalignment	Example recommendations based on 3 approaches
<p>A modernisation approach removed from citizen's realities appears to be upheld by government workers in rationalising the digitisation of the school fees payments through the e-Citizen platform.</p>	<p>Meaningful public participation; Having actionable and inclusive feedback loops from the design of the service to its deployment would allow for a more accurate assessment of its costs and benefits on the citizenry as opposed to holding opinions which may greatly differ from what's happening on ground. Similarly, using the gender data-informed decision making approach, by collecting a range of both descriptive and numerical data, government is able to get a more on-the-mark understanding of how a citizen is impacting citizens which can then guide how they approach deployment that caters to the needs and realities of its citizenry.</p>

Case study 2: Digital ID ‘Maisha Namba’

Contextualising the initiative

In December 2018, legislators introduced the National Integrated Identity Management System (NIIMS), then colloquially referred to as Huduma Namba through an amendment to the Registration of Persons Act. In 2018, the then-president of Kenya, Uhuru Kenyatta, assented to an amendment to the Registration of Persons Act which established a National Integrated Identity Management System - a “central master database” for citizens, popularly known as “Huduma Namba”². Under the weight of litigation, the “Huduma Namba” project collapsed and although millions registered for the digital ID, these citizens never received their digital IDs. In late 2023, the Kenya Kwanza government officially replaced the Huduma Namba with the ‘Maisha Namba’ project. Again, the project was subject to legal scrutiny pertaining to lack of public participation, lack of effort to subject the project to a data protection assessment and possibility of exclusion for marginalised groups who are currently subjected to vetting that prevents them from accessing second gender IDs.

Through the report we learn that from a government perspective, this system would streamline access to government services. A few CSO respondents agree that the state’s digital ID program, now Maisha Namba, suggests that the government is committed to delivering inclusive digital governance, given that the existence of a unique service number allows citizens to access government services without repeated registration. Citizen groups argue that developing integrated population registers without addressing this existing discrimination will render these groups victim to even higher levels of discrimination.

Activity 1: Determining State priorities

In this activity explore what state priorities are being actualised through the rollout of Maisha Namba.

Which state priorities is the government pursuing through Maisha Namba? (Choose as many as you would like)

- D) Modernisation
- E) Efficiency
- F) Revenue Generation

How does Maisha Namba enable the state to achieve the priority/ies you’ve chosen above?

² ——. n.d. “Implementing Huduma Namba: Challenges and Prospects | KICTANet Think Tank.” Copyright KICTANet Think Tank - All Rights Reserved. <https://www.kictanet.or.ke/mdocs-posts/implementing-huduma-namba-challenges-and-prospects/>.

Activity 2:

In this activity explore how different citizens would be impacted by the rollout of Maisha Namba.

Persona 1:

Aisha

Context/ Realities

Aisha is 50 years old and runs an organisation that fights to create access to public services for remote and nomadic communities in Northern Kenya. She has 2 children, who have graduated and have jobs. She uses her digital devices and internet for work and leisure. However, she works and lives among communities with low literacy and income levels, and many people she works with do not have documents to prove their citizenship.

Challenges likely to be experienced in Maisha Namba rollout.

Opportunities for growth through Maisha Namba rollout.

Persona 2:

Joe

Context/ Realities

Joe is 45 and employed in MICTDE and has a regular salary. He uses the internet regularly for work and leisure through his laptop or smartphone. Joe is married with 2 children in high school. Joe lives and works in Nairobi.

Challenges likely to be experienced in Maisha Namba rollout.**Opportunities for growth through Maisha Namba rollout.**

Persona 3:

Emmanuel

Context/ Realities

Emmanuel is 23 and just graduated from a Computer Science at Masinde Muliro University. He has not found a job opportunity yet, so he is living at home with his parents who are teachers and his younger siblings in a village in Butere, Kakamega. He has a smartphone and a laptop, but cannot afford WiFi or regular data bundles. He is thinking of doing online gig work to support him and his family.

Challenges likely to be experienced in Maisha Namba rollout.

Opportunities for growth through Maisha Namba rollout.

Persona 4:

Shifra

Context/ Realities

Shifrah is a 36 year old tailor and mother of six living on the outskirts of Nairobi. She acquired a smartphone during the COVID pandemic after prudently saving for it because her older kids(16, 14 and 11) needed it for online studies during the lockdown. While she has a primary education, her predominant online use is with Whatsapp which she uses to communicate with family and friends which use is also occasional since her husband believes her “over using” the internet means she is talking to other men which in a way controls her phone usage.

Challenges likely to be experienced in Maisha Namba rollout.**Opportunities for growth through Maisha Namba rollout.**

Activity 3: Reflect on whether there is alignment or misalignment between state priorities and citizen realities in rolling out Maisha Namba

Guiding questions:

- Is there alignment or non-alignment between state priorities reflected in this digital governance intervention and citizen realities?
- Do these strategic priorities compound or solve the digital governance-related challenges being experienced by citizens that you outlined in the activities above? Do they generate new forms of exclusion?
- Do these strategic priorities leverage and cultivate citizen skills and talents?
- Include other considerations too.

Activity 4: How would you use the 3 approaches (Meaningful public participation processes, gender data-informed decision making, systematic coordination) to promote more alignment between state priorities and citizen realities?

Aspect of misalignment	Example recommendations based on 3 approaches
Limited awareness-raising about the potential impact of a digital governance effort generates scepticism and misinformation. (Shifrah)	Meaningful Public Participation which includes awareness raising campaigns that communicate a clear, uniform but tailored, explanation of what Maisha Namba is and how it will positively/negatively impact different groups of Kenyans would enable citizens to provide more informed feedback and generate more productive public discussions about Maisha Namba in public forums.

In conclusion, the paradigm shifts and models advanced in this toolkit towards citizen centric digital governance are meant as a step in the direction of driving inclusion in Kenya's digital governance. The models and case studies are only beginning prompts meant to elicit persons working on digital governance to thinking about the plethora of scenarios that may arise with any issue they are seeking to address with policy design and implementation at the intersection of citizen realities and the state's strategic priorities towards alignment meant to realise a flourishing citizenry and government under a digitised Kenya.

