**The significance of devolution in the current society**

**Definition of devolution**

Devolution, which is an aspect of decentralization, can be defined as the process or situation in which the government at the centre, relinquishes part of its power to other bodies like the local governments. It is the statutory granting of powers from the government of a sovereign state to government at a sub national level.

Therefore, they enjoy autonomy from the Centre. This means that any level of local government is not under obligation to refer to or seek authority from the centre in order to implement decisions that fall within their exclusive jurisdiction.

For Example, the adoption of devolved system of government in Kenya was a desire of citizens who wanted access to public services closer to them. This helped enhance people's self-governance, enabling communities manage their own affairs, protecting and promoting interests and rights of minorities and the marginalized. Furthermore, it ensured equitable sharing of resources, the adoption of devolved system of government in Kenya was a desire of citizens who wanted access to public services closer to them. This by far was geared towards promotion of democracy and accountability in the exercise of power, fostering national unity by recognizing diversity, enhancing people's self-governance, enabling communities manage their own affairs, protecting and promoting interests and rights of minorities and the marginalized and ensuring equitable sharing of resources

**Reasons for devolution**

First, ethno-regional; this is the main reason that centralized governments give way to devolution and a decentralized model is because the different regions under the central government have vastly different ethnic, religious and traditional heritages

Secondly, the political; sometimes devolution occurs because the regions under a central government differ vastly in their political views and values.

Thirdly, independence; many smaller regions desire to break away from their central governing body to become their own sovereign nation.

**The pros and cons of devolution**

Devolution can have both positive and negative effects on governance and national cohesion. The effectiveness of devolution depends on various factors, including the specific circumstances of each country, the nature of devolved powers, and the management of conflicts between central and regional governments. Here are some potential benefits of devolution:

1. Improved governance and consultations with constraint relationship between the different arms of county governments, the council of governors has promoted dialogue amongst the various players. This has led to improved relationship between the various arms of the government. In addition, the council of governors has been in constant consultations with the national government and has discussed various matters affecting devolution and some of the constraints have been discussed.
2. It is the devolution makes government more responsible: this is because the government has fewer things to handle and hence being responsible. When government delegate some roles to other bodies, it will get enough time to concentrate on one issue and deliver good results and hence the responsibility.
3. Improve prudent financial management. With the challenge of inadequate finances and delaying of finance release, counties have started to develop mechanism to increase the locally generated revenues to finance.
4. They have also improved service delivery. This development has provided an opportunity for counties to prioritize their own development and service delivery needs. This enables counties to plan effectively for service delivery based on felt needs and local priorities.
5. The involvement of the public in county governance has seen an increase in public confidence as well as development of projects that address local need.
6. Balance country’s economic development: Resources are distributed equally to all the local and regional administration; economic development of the country is balanced. Resources are distributed and are managed to ensure the local and regional administrations have whatever things they require within their reach. This boosts country’s economy and raises its earnings.
7. Brings the government closer to the governed people:  Since the government distributes roles to bodies which are below them, it takes the government closer to the people and helps them interact and know what people require. This helps the citizens to express their needs and what they require for easy governance and smooth running of their businesses and day to day activities.
8. Devolution by far has made Kenya a better place: Before the new constitution in Kenya, the government was centralized. Implementation of projects meant
9. Facilitates participatory decision making:  Devolution bring many bodies and people with different expertise to make decisions on what will affect the country or the county. This hereby brings participation since it calls people of different field to make decisions concerning a particular issue.
10. Accommodates -social- diversity:  This is the knowledge of different cultures and beliefs by a people. Devolution accommodates all the different diversities since the rules and decisions made are not set to one community or culture. It is set for a great number of people with different cultures and beliefs. With this fact, devolution helps to accommodate social diversity.
11. Devolution has expanded political space and freedom: People who were planning to retire and change their careers have become relevant with the entry of devolution. This is because of the accommodation that local governments give to such people because of their knowledge and expertise. This has therefore increased political power because leaders with the required education are elected to manage local development. Political lobbying of national government. This brought a lot of projects which people never needed
12. Healthcare has been enhanced and expanded:  Most counties have expanded their health care and this has reduced child mortality rates and has increased access to specialized treatment due to the use of recent machines.
13. Improved regional representation: Devolution allows regional governments to better understand and address the needs of their populations and tailor policies to their specific circumstances. This can lead to greater regional representation and more effective governance.
14. Decentralisation; devolution can reduce the burden on central governments by delegating powers and responsibilities to regional governments. This can lead to more efficient and effective governance, as regional governments can respond more quickly and effectively to local issues.
15. Recognition of national identities: Devolution can recognize the unique cultural and historical identities of different regions within a country. This can promote a greater sense of pride and ownership in regional identities and reduce tensions between regions.
16. Experimentation: Devolution can allow for experimentation with different policies and priorities in different regions, which can help identify effective policies that can be applied nationally.

On the other hand, the success of devolution has been coupled up with challenges. This affects the smooth implementations of the devolved governance. Some of these disadvantages include:

1. It is too expensive to run, due to diversity of roles. There are many roles in the administration department and this increases the costs of running the department since a lot of funds is spent mostly on their salaries and allowances with only little left for development in the field. It’s too costly. It’s a fact that more money will go to establishing these new layers of government instead of focusing on building infrastructure. We start redirecting funds to creating a county government will lose the chance of building infrastructure that will make us competitive in global market.
2. Sometimes may lead to exclusion and marginalization of minorities. Devolution may lead to exclusion of some regions or in terms of development and infrastructure. Allocation of funds and other basic resources such as schools and hospitals are also likely to be unevenly distributed or equipped in some regions as compared to others; e.g., there are likely to be more hospitals and well-equipped machinery in Nairobi County than in Wajir County. This hence making people in other rejoins of the country feel excluded in terms of resources, development and participation in countries activities.
3. This can lead to ethnicity. It is no secret Kenyans are tribal. Devolution marginalizes the Kenyan people within tribal lines since mostly the counties consists of a single tribe hence no integration with other communities. Most of the people in the reserves of Kenya have limited integration with other communities, devolution limits any access by these communities with the other people outside the county since everything is readily available in the county for example health and education, which promotes unity, this therefore disintegrates the country further.
4. Leads to unnecessary inefficiency and redundancy due to duplication of roles. Devolution has led to the division and decentralization of power; this has hence resulted into having more people doing similar work or more people doing little work that can be done by fewer people. This unnecessary duplication of roles has led to misuse of power and wastage of resources. Example it has created positions for, members of parliament and members of Parliament of who perfume similar roles. These leads to wastage of resources in paying their salaries, allowances and fueling their cars. This money would alternatively be used in funding of the country’s development projects.
5. May lead to mismanagement of funds allocated to county governments. While certain regions will be very strong and prosperous, others will not only be weak but totally unviable. Poor governance by the leaders and mismanagement of funds allocated for development projects in the county level will make some regions be left behind in terms of development. With good leadership the natural resources in the area could be used to generate income in to the country; e.g., lots of solar energy can be generated from the county to be sold. Wind generators for the same purpose can also do extremely well. However poor use of the available resources and poor leadership has hindered the development of such areas.
6. Pushing the country in huge debts and escalating high taxation. Due to the decentralization of power and the creation of many posts in the devolved system of government, the country ends up borrowing from other donor countries in order to sustain the its operations. This has hence resulted in the country borrowing heavily thus creating huge debt. This ends up affecting the normal mwananchi as prices of basic commodities ends up rising due to high taxation
7. May lead the drive to secession. Where there is too much devolution, the governments at the regional and districts may feel too independent and may begin to think they could stand on their own. This may lead to the tendency to break away from the centre and if care is not taken, it may lead to an all-out war.
8. Difficulty in getting qualified personnel. One of the disadvantages of devolution is that it is difficult to get qualified personnel to accept posting to the remote places. This is especially so in developing countries where not all the areas have critical social amenities. Everybody highly qualified person wants to remain in the big cities.
9. It may also create red tape, rigidity and slow down decision making- process. Since there are many departments created through devolution, coming to a beneficial decision takes longer as it should be. Linking various departments which is key in implementing ideas increases the length of the process of decision making. The rigidity is also high for example in the case of the governor and the senator. When they are in disagreement, implementation of decisions and decision making is made difficult. This could translate to projects left undone or taking longer hence shoddy work.

**Case study brief- Devolution in Kenya**

In Kenya, devolution can be traced to 2010 where Kenyans welcomed a new constitution. Kenyans voted to decentralize government, ushering in a new era of leadership with about 47 governors and their teams taking up the reins of power. For so long Kenyans clamoured for a new constitution and a change in the way the country was governed. Devolution came at a time when the previous political system, which was centralized, was blamed for vast inequalities, largely for exclusion and deep divisions in Kenyan society It informed the setting up of structures for the transition to devolved governance. It started with the publication of the Sessional Paper on Devolved Government, which would guide the formulation of the devolution laws.

One key factor was the dissatisfaction with the highly centralized model of governance, associated with imbalance in resource allocation resulting in ethno-regional development inequalities, marginalization of some communities and failure to involve the people in governance processes, among other ills. The people yearned for a more equitable distribution of national resources and an end to development inequalities between regions of the country, fueled largely by ethnicity

The Kenyan experience demonstrates the promise and pitfalls of devolution. On the positive side, some benefits will trickle down when resources are devolved to powerful political actors at the local level. County governments negotiated a working relationship with the national government in terms of power and revenue sharing. But the county governments lacked the capacity, knowledge and resources to effectively deliver the devolution dividend of shared prosperity, enhanced delivery of vital services and improved management of public resources.

The capacity building, analytical and technical assistance as provided by the Kenya Accountable Devolution Program, KADP has contributed to the gradual streamlining of devolved functions and resources for enhanced revenue generation and service delivery. This assistance is coming of age to include

1. Facilitating public financial management reforms;
2. Supporting the implementation of public participation initiatives;
3. Enhancing the revenue allocation formula aligned with urban priorities and
4. Leading the mainstreaming of gender and climate resilience dimensions in key sectors.

The main success of devolution to date has been, first and foremost, that it has been implemented. Devolution has brought some level of resources and development to the local level and particularly to counties that for long have been largely marginalized from national politics. In many counties there are new health centres, roads and street lights that wouldn’t be there without devolution

The challenges of devolution in Kenya include but not limited to,

1. the failure to devolve land administration functions
2. Revived many pre-existing land conflicts or/and created new ones.
3. the predominance of corruption and lack of resources. This means that minority groups are excluded from access to resource.
4. the attitude of the national government and partisan divisions between governors have prevented the realisation of devolution in its most comprehensive form
5. Most county assemblies have limited capacity, and need training on the budgetary process and its impact on gender equality
6. Failure to send adequate funds on timely basis to devolved units. The support to counties could have been better with resources fully allocated to follow the devolved functions. The back and forth between the parliament approved budget, the Commission of Revenue Allocation and the National Treasury has caused delays in disbursement of funds to counties.

The Kenyan experience demonstrates the promise and pitfalls of devolution. On the positive side, some benefits will trickle down when resources are devolved to powerful political actors at the local level. In the Kenyan case the most obvious benefits have been visible and easy-to-build developmental goods like street lighting and roads, as well as increased employment in county government administration

Devolution has opened up opportunities for women and other disadvantaged groups to participate in policy planning, budget allocation and monitoring of expenditure. The relationship between governors and MCAs, the governors and the senate could have been better.. Some counties have formed economic blocs to ease economic cost and sustainability of producing some raw materials. But as currently is with most counties that are involved in supremacy battles on who owns what and what power they influence it would be difficult to achieve the desired fruits of devolution.

**Conclusion**

Decentralization of power to counties is what defines devolution system of government in Kenya. Through the institution established by law to implement devolution, their mandate is threatened affecting their performance. Issues emanating from these institutions have great impact to devolution process. Insufficient financial allocation to counties is affecting the achievement of devolution in Kenya.

To achieve the goals of devolution, there should be a better working relationship between all levels of government, parliament, county governments, the ministries, independent offices/ commissions, civil society. All should work together for the good of devolution. The latter is intended to bring services closer to the people and create a platform from which women, marginalized communities and minorities could participate more effectively in decisions that affected their economic and political well-being

We believe devolution is important because it ensures decisions are made closer to the local people, communities and businesses they affect. It will provide greater freedoms and flexibilities at a local level, meaning councils can work more effectively to improve public services for their area.

Delays in disbursement of these funds have become a common trend, however the national treasury has not been held accountable for it. On the other hand, challenges emanating from lack of capacity and skill has affected the service delivery in many counties. This is due to tribalism and nepotism experienced at county level which in most cases determines who is to be employed. Unqualified people end up occupying jobs they do not have skills for thus affecting service delivery. High corruption in county governments is common in recruitment of personnel, county public procurement, county financial management, planning and management of county projects and county legislative duties. County governments have the mandate of facilitating the public participation but this has been optimal. These challenges can be addressed if all involved parties are given enabling environment to perform their functions

Through the governors in counties have raised these issues which most of the time have caused disagreement between the two governments. The governors have blamed national government for sabotage of devolution. Although the blame has been on national government for tampering with implementation of devolution process, the county government is also to blame. High rate of corruption has been experienced at county level. County governments have failed to implement public participation a mandate provided to them by the constitution. The employment process in counties is based on tribalism and nepotism. This has affected the performance of most counties. Devolved system of government was ushered in immediately after the March 2013 general elections. However, the implementation process slightly delayed until November 2013. The process is slow due to challenges which some were envisioned even before the devolved system of government was adopted.

**References**

1. The Standard Media (2017). County funds are held up at the Treasury. Available at www.standardmedia.co.ke/business/article.
2. The Standard Media (2017). How grand corruption in the counties undermines devolution Available at www.standardmedia.co.ke.
3. National Council for Law Reporting with the Authority of the Attorney General: The Constitution of Kenya. Revised Edition, 2010.
4. Kenya Population and Housing Census, August 2009.
5. Transition Authority is a statutory body established by the Transition to Devolved Government Act, 2012 to facilitate the transition from the hitherto centralized system of government to the devolved system of government.
6. Article 174 (e) (f) (g), Constitution of Kenya, 2010.
7. The Star (2015). Corruption the 'top threat' to devolution. Available at www.thestar.co.ke/news/2015/07/03/corruption-the-top-threat-to-devolution.
8. Why Corruption Is Devolution's Biggest Enemy. Available at www.thestar.co.ke/news/2015/12/12/.Accessed on 20th March 2018.
9. UNDP (2015). Annual Progress Report 2015: The Integrated UNDP Support Programme to the Devolution Process in Kenya. Available at www.ke.undp.org.
10. The Integrated Support Program to The Devolution Process in Kenya: Mid Term Evaluation (MTE). Final Report.
11. World Bank. (2011). Special Focus: Kenya’s Momentous Devolution. Ed No 5. Available at www.siteresources.worldbannk.org.Accessed on 20th June 2018.
12. World Bank. (2018). Towards a More Inclusive Development in Kenya.
13. Article 204, Constitution of Kenya, 2010.
14. Article 6(2)b, Constitution of Kenya, 2010.
15. Kangu, John Mutakha: Constitutional Law of Kenya on Devolution, Nairobi 2015.
16. Article 189, Constitution of Kenya, 2010.
17. Article 191, Constitution of Kenya, 2010.
18. www.noreb.co.ke 14 Society for International Development.
19. Article 27, Constitution of Kenya, 2010.
20. Cheeseman, Nic / Lynch, Gabrielle / Willis, Justin: Decentralisation in Kenya: the governance of governors, in: The Journal of Modern African Studies 54/2016, pp. 1-35
21. Report, K. L. (n.d.). THE CONSTITUTION OF KENYA. Retrieved from Kenya Law Reports: