**TITLE : SIGNIFICANCE OF DEVOLUTION IN THE CURRENT SOCIETY .DISCUSS PROS AND CONS OF DEVOLUTION**

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**THESIS STATEMENT**

Devolution plays a crucial role in modern society by decentralizing power, improving local governance, and fostering regional autonomy, which leads to enhanced public participation and tailored solutions to local needs. However, despite its benefits, devolution also brings challenges, such as fragmented governance, unequal resource distribution, and the potential for mismanagement at local levels. This discussion explores both the advantages and disadvantages of devolution, highlighting its significance and complexities in contemporary governance.

**Devolution is the transfer of power to a lower level especially by central government to local or regional administration.**

Devolution in Kenya can be traced back in 2010 where Kenyans welcomed a new constitution. The constitution created a decentralized system of government where two of the three arms of government, namely the Legislature and the Executive were devolved to the 47 political and administrative counties.

The move to the devolved government started with the publication of the Sessional Paper on Devolved Government, 2010 that guided the formulation of the devolution laws and informed the setting up of structures for the transition to devolved governance.

The primary objective of decentralization was to devolve power, resources and representation down to the local level. Devolution came at a time where the previous political system, which was centralized, was blamed for vast inequalities, exclusion and deep divisions in Kenyan society.

Unlike the centralized in the old system, county governments have been able to manage and develop their own affairs while fostering social, economic and political development. We have witnessed major breakthrough in many sectors such as agriculture, healthcare, trade and regulation, planning and development and pre-primary education.

Kenya transited to devolved governance in March 2013 following the general election and forty seven governments were established.

Devolution was set on a number of principles that are well articulated in articles 174 and 175 of the constitution.

Those following are principles of devolution;

-Ensuring equitable sharing of national and local resources throughout Kenya

-Promoting accountability, transparency, participation and decision making at the lowest level of government

-Formally granting rights to communities to manage their own resources

-Bridging economic and social inequality gaps by decentralizing state organs and public resources to enable ease of access to public services throughout Kenya and advertisement.

-Fostering unity, cohesion and co-existence among communities.

In the light of the above, the establishment of the counties has been highly praised as the most transformative and auspicious aspect of Constitution of Kenya which provides considerable pathway through which pro-poor economic growth and social inclusion have an institutionalized framework to thrive. It is expected that, if well implemented, devolution will guarantee accelerated development and reduced levels of inequalities and vulnerabilities.

Some of the advantages of devolution include:

Makes government more responsible 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.

Facilitates participatory decision making since it brings 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.

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.

Balances country’s economic development therefore, resources are distributed equally to the 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.

Brings the government closer to the governed  hence 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.

[Collinson&Newman,2023] said that devolution has made Kenya a better country, before the new constitution in Kenya, the government was centralized. Implementation of projects meant political lobbying of national government. This brought a lot of projects which people never needed

Devolution has expanded political space because 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.

It has improved Early Childhood Centers (ECD). This has therefore changed the education system in Kenya and has placed emphasis on the foundation which tends to affect how a child engages with education in more years to come. This has encouraged many children to get to school and receive education.

Health care has been expanded . Most counties have expanded their health care and this has reduced child mortality rates and has increase4d access to specialized treatment due to the use of recent machines.

 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.

They have also improved service delivery. The development of CIDPs for the counties has provided an opportunity for counties to prioritize their own development and service delivery needs. This has enabled counties to plan effectively for service delivery based on felt needs and local priorities.

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.

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.

On the other hand devolution has its disadvantages too. Some of these disadvantages include:

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. Example there are likely to be more hospitals and well-equipped machinery in Nairobi County than in Wajiar County. This hence making people in other rejoins of the country feel excluded in terms of resources, development and participation in countries activities.

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.  
Leads to unnecessary 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 stated by [Omweri ,2024]. 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 countries development projects.

  It is 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.

May cause tensions between tribes

Devolution may case tension between tribes living in other counties away from that of their ethnic community. Though the constitution of Kenya clearly protects every Kenyan wherever in the country that they may wish to settle or invest, a community such as the kikuyu who have invested heavily in almost every corner of the country are more likely to fall victims of ethnic clash. Areas that have resentment towards them forcing them to move out of that region. Example during the post-election violence communities that were living in regions that were a different ethnic group were the most affected. Hence devolution has created ethnic lines among the people and this can lead to slowing down of the countries development ant attaining of the countries vision 2030.

It may also create 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.

Weakening of the Central government . It is also true that the system will weaken the Central government in many ways including its’ ability to collect revenue. In all likelihood this will be the initial effect, however over time the Central government should be able to re-position itself and find a new role that will restore power and strength to it as the central overall governing authority. One can also argue that to strengthen the government in the medium term and long term devolution is vital so as to fully exploit the massive untapped potential we have in the country.

Can lead to decentralized authoritarianism

 Decentralization is the process of redistributing or dispersing functions, powers, people or things away from a central location or authority. Authoritarianism is a form of government characterized by strong central power and limited political freedoms. Individual freedoms are subordinate to the state and there is no constitutional accountability under an authoritarian regime. This will lead to infringement of personal freedom due to the fear of authority and limited political freedom.

Mismanagement of funds allocated to county governments

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. Take most of North Eastern as an example. Prospects of raising revenue there are gloomy at best. The population is too low and there is not much in terms of viable commercial activity that can take place there. With good leadership the natural resources in the area could be used to generate income in to the country. For example 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.

Leading the country in huge debts and 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

Therefore, devolution 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 government is not under any obligation to refer to or to seek authority from the Centre in order to make or implement decisions that fall within their exclusive jurisdiction. However, they must recognize that they are part of the larger state. The ultimate objective of devolving powers is to develop a democratic system of governance and an adequate provision of basic services.

Seven years down the line, the council of governors has achieved much in supporting the work of the 47 counties. The work of devolved government has been complimented by the national government. It has helped to improve the lives of the citizens politically, socially and economically. However, the success of devolution has been coupled up with challenges. This affected the smooth implementations of the devolved governance.

Some governors have faced impeachment, while others have been slowed by threats of impeachment. The relationship between governors and MCAs, the governors and the senate could have been better.

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