

# Policy Brief

## Decentralization, Corruption and governance in Africa: what we can learn from Kenya

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### Summary

Decentralization is often advocated as the solution to the governance problems facing African states. However, there have been few successes as central governments have been reluctant to transfer meaningful powers to local governments (LGs). The recent successful implementation of devolution in Kenya provides insights into how decentralization can be implemented and the problems that arise once it has.

Implementing meaningful decentralization critically depends on providing LGs with the support and resources to defend their interests at central government level. Problems after implementation include: malpractice in electoral processes; corruption in LGs; capacity deficits; and lack of coordination between national government and LGs.

### Recommendations

Support LGs in representing their interests to national governments e.g. through coordinated councils of elected LG representatives

Support central government in providing oversight of LG budgeting process

Provide support for upholding the integrity of local elections, which have traditionally been overlooked

Empower local civil society to effectively take part in public participation in budgeting

Facilitate capacity audits that can identify weaknesses in LGs and to facilitate coordination between levels

## **Background**

Decentralization has been advocated by donors as an institutional 'fix' for the problems of African states and has been implemented in a majority of countries. However, most of these reforms are limited and there are few real success stories. In most countries central governments have coopted reforms and power has remained highly centralized. The problems posed by this scenario are: how to ensure meaningful decentralization is implemented by central governments and b) how to support LGs in becoming effective agents of development.

Kenya, which introduced devolution in 2013, offers insights into these two problems. Many have recognized Kenya's devolution as one of the first examples of substantial transfers of power to democratically elected governments at sub-national level. Currently 40% of national revenue goes to 47 sub-national county governments. These governments, comprised of elected governors and county assemblies, now have responsibility for many service delivery tasks, including healthcare. The Kenyan example provides insights into both how to ensure meaningful LG reforms are implemented by central governments; and the pitfalls such reforms face once implemented.

In terms of how such meaningful reforms have been implemented, the Kenyan case highlights the need to support LG actors at the national level. LG actors can lack the resources and means to exert pressure on central governments who are often reluctant to give away substantial powers and resources. In Kenya key to the implementation of devolution in the face of central government resistance has been the Council of Governors – a body where the governors have worked together in a coordinated manner to resist central government attempts to subvert devolution.

The full implementation of devolution in Kenya is a significant achievement. However, it has highlighted a number of further problems. First, there were significant irregularities in the electoral processes in county government elections including rigged primaries and electoral malpractice. This has led to the election of candidates that do not always hold to the highest standards of democracy, under compromised conditions. Second, there is evidence that the decentralization of resources has effectively meant the decentralization of corruption. Governors and Members of County Assembly have

been accused of wasting resources on lavish residences, vehicles, overseas travel and allowances. Third, serious discrepancies are evident between the functions transferred to county governments and their capacity to deliver them. This is particularly evident in healthcare. Fourth, there is a lack of clarity about the division of responsibility between the national and county level for some tasks, such as security. Some have claimed the recent insecurity on the coast has been exacerbated by lack of coordination between national and county governments.

## **Policy implications**

To achieve the implementation of meaningful decentralization both LGs and central governments need to be empowered to provide oversight of each other. LGs need to have the resources and support to insist on the implementation of reform and transfer of power. Central governments need to have the capacity to oversee budgeting and expenditure in LGs to ensure against waste and corruption.

To ensure that politicians who adhere to the highest standards of democracy are elected, the integrity of the electoral process for LGs needs to be high. Attention needs to be paid to the internal capacity of parties to conduct free and fair nominations procedures, and to the capacity of electoral authorities to also oversee LG elections, often at the same time as national elections.

To guard against the waste and misappropriation of resources, local civil society needs to be empowered to take part in the public consultation phases of budgeting processes. Although there is provision for this in the Kenyan constitution, local civil society has traditionally been weak as most resources have been located at the central level.

To ensure LGs are capable of undertaking the tasks assigned to them it is important to match the design of decentralization programmes to the capacities of LG. Capacity audits prior to decentralization would be helpful in this regard.

To prevent a lack of coordination between central government and LGs on important policy areas the design of decentralization should specify the exact division of resources and responsibilities in all areas.

**Further Reading**

This policy brief is drawn from the full report: 'Devolution, Democracy and Development in Kenya' by Agnes Cornell and Michelle D'Arcy, funded by the Swedish International Centre for Local Democracy. Available from author: darcym1@tcd.ie

