

RESEARCH ARTICLE

Governing Water Service Delivery Under Devolution in Kenya

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ABSTRACT

Kenya's 2010 Constitution introduced a devolved governance system that reassigned water service delivery responsibilities to county governments while retaining water resources management, regulation, and policy oversight at the national level. Although devolution aimed to improve responsiveness, accountability, and equity, water service delivery outcomes remain uneven across counties, raising concerns regarding institutional coordination, governance capacity, and intergovernmental relations within the sector. This study adopts a qualitative, institutionally grounded research design based on systematic analysis of publicly available constitutional provisions, policy and legal frameworks, regulatory assessments, sector reports, and county-level planning and budgeting documents produced between 2010 and 2025. Documentary materials analyzed included Water Services Regulatory Board (WASREB) reports, county integrated development plans, county budget documents, sector implementation reports, and national water governance frameworks. The analysis examines how formal responsibilities are interpreted and operationalized across national and county levels of government. The findings show that devolution has increased the political salience of water services at county level and enabled more locally responsive investment in some historically underserved areas. However, water service delivery outcomes remain highly uneven across counties. Persistent challenges include overlapping institutional mandates, weak intergovernmental coordination, disparities in technical and administrative capacity, fragmented investment planning, uneven regulatory compliance, and misalignment between county political incentives and long-term governance requirements. The analysis further demonstrates that formal constitutional assignment of functions has not eliminated negotiated authority or governance tensions within the sector. The study concludes that the effectiveness of devolved water service delivery depends less on formal allocation of functions than on the quality of institutional coordination and intergovernmental interaction. Strengthening governance coordination, clarifying operational roles, improving regulatory alignment, and investing in county-level institutional capacity are critical to achieving equitable and sustainable water service delivery under devolution.

摘要

引言: 肯尼亚2010年宪法引入了权力下放的治理体系, 将供水服务提供的职责重新分配给县级政府, 同时在国家层面保留了水资源管理、监管和政策监督职能。尽管权力下放旨在提高响应度、问责和公平性, 但各县供水服务的成效依然参差不齐, 引发了人们对该领域内机构间协调、治理能力及政府间关系的担忧。

方法: 本研究采用基于制度视角的定性研究设计, 对2010年至2025年间公开的宪法条款、政策与法律框架、监管评估、行业报告以及县级规划与预算文件进行了系统分析。分析的文献资料包括供水服务监管局(WASREB)报告、县综合发展计划、县预算文件、行业实施报告以及国家水务治理框架。分析重点考察了国家和县两级政府如何解读并落实各项法定职责。

结果: 研究表明, 权力下放提高了供水服务在县级层面的政治重要性, 并促成了一些历史上服务不足地区开展更具地方针对性的投资。然而, 各县供水服务的成效仍存在显著差异。持续存在的挑战包括: 机构职能重叠、政府间协调薄弱、技术与行政能力参差不齐、投资规划碎片化、监管合规情况不一, 以及县级政治激励与长期治理需求之间存在错位。分析进一步显示, 宪法对职能的正式划分并未消除该领域内通过协商确定的权力运作或治理张力。

结论: 研究得出结论: 权力下放体制下供水服务的成效, 与其说取决于职能的正式划分, 不如说取决于机构间协调及政府间互动的质量。加强治理协调、明确运作角色、提升监管协同性并投入资源建设县级机构能力, 对于实现公平且可持续的供水服务至关重要。

RESUMEN

Introducción: La Constitución de Kenia de 2010 introdujo un sistema de gobernanza descentralizada que reasignó las responsabilidades de la prestación de servicios de agua a los gobiernos de los condados, manteniendo la gestión, la regulación y la supervisión de las políticas de recursos hídricos a nivel nacional. Si bien la descentralización buscaba mejorar la capacidad de respuesta, la rendición de cuentas y la equidad, los resultados de la prestación de servicios de agua siguen siendo desiguales entre los condados, lo que genera inquietudes con respecto a la coordinación institucional, la capacidad de gobernanza y las relaciones intergubernamentales dentro del sector.

Métodos: Este estudio adopta un diseño de investigación cualitativo, con base institucional, a partir del análisis sistemático de disposiciones constitucionales, marcos normativos y legales, evaluaciones regulatorias, informes sectoriales y documentos de planificación y presupuestación a nivel de condado, disponibles públicamente y elaborados entre 2010 y 2025. Entre los materiales documentales analizados se incluyen informes de la Junta Reguladora de Servicios de Agua (WASREB), planes de desarrollo integrado de los condados, documentos presupuestarios de los condados, informes de implementación sectorial y marcos nacionales de gobernanza del agua. El análisis examina cómo se interpretan y operacionalizan las responsabilidades formales en los niveles nacional y de gobierno de los condados.

Resultados: Los resultados muestran que la descentralización ha aumentado la relevancia política de los servicios de agua a nivel de condado y ha permitido una inversión más adaptada a las necesidades locales en algunas zonas históricamente desatendidas. Sin embargo, los resultados en la prestación de servicios de agua siguen siendo muy desiguales entre los condados. Entre los desafíos persistentes se incluyen la superposición de mandatos institucionales, la débil coordinación intergubernamental, las disparidades en la capacidad técnica y administrativa, la planificación de inversiones fragmentada, el cumplimiento normativo desigual y la falta de alineación entre los incentivos políticos de los condados y los requisitos de gobernanza a largo plazo. El análisis demuestra además que la asignación constitucional formal de funciones no ha eliminado la autoridad negociada ni las tensiones de gobernanza dentro del sector.

Conclusión: El estudio concluye que la eficacia de la prestación descentralizada de servicios de agua depende menos de la asignación formal de funciones que de la calidad de la coordinación institucional y la interacción intergubernamental. Fortalecer la coordinación de la gobernanza, clarificar las funciones operativas, mejorar la alineación regulatoria e invertir en la capacidad institucional a nivel de condado son fundamentales para lograr una prestación de servicios de agua equitativa y sostenible bajo la descentralización.

1 | Introduction

Access to safe, reliable, and affordable water remains one of the most enduring governance and development challenges across the Global South. Despite sustained investments in infrastructure, repeated waves of sector reform, and global commitments such as Sustainable Development Goal 6, water service delivery outcomes continue to display deep spatial and social inequalities. These persistent gaps are increasingly understood not simply as technical failures, but as manifestations of governance deficits embedded in institutional design, political incentives, administrative capacity, and coordination across levels of government. Contemporary scholarship therefore increasingly calls for a shift away from narrowly water-centric or engineering explanations toward more institutionally grounded analyses that foreground governance processes, intergovernmental interaction, and power relations

within complex public service delivery systems (de Loë and Patterson 2017; Ojha et al. 2021).

Within this broader rethinking, decentralization and devolution have emerged as prominent governance reforms aimed at improving public service delivery. By relocating authority, resources, and decision-making closer to citizens, decentralization reforms are generally expected to enhance responsiveness, accountability, participation, and equity. Water services have featured centrally in these reforms because of their inherently local characteristics, their close links to public health and livelihoods, and their political salience at subnational levels. Yet comparative evidence increasingly cautions against assuming a linear relationship between decentralization and improved service delivery. Outcomes vary considerably across contexts, and in many cases, decentralization has generated new coordination challenges, capacity constraints, and accountability

Summary

- Devolution has brought water governance and investment decisions closer to local communities, but uneven county capacity and weak coordination with national institutions continue to constrain equitable service delivery outcomes.
- Overlapping mandates and unclear operational roles between national water regulators, sector agencies, and county governments generate delays, duplication, and accountability gaps in water service provision.
- Political prioritization of visible infrastructure projects under devolved governance can strengthen responsiveness to local needs while simultaneously undermining long-term maintenance and system sustainability.
- Stronger intergovernmental coordination, clearer institutional alignment, and sustained investment in county-level governance capacity are essential if devolution is to deliver reliable and equitable water services, particularly in historically marginalized regions.

ambiguities rather than resolving existing governance problems (Mosca 2006; Moglia et al. 2011).

These tensions are particularly visible in sectors characterized by institutional complexity and overlapping functional mandates such as water governance. Responsibilities for water resources management, infrastructure development, regulation, financing, and service provision are frequently distributed across multiple institutions and levels of government. Consequently, decentralization often transforms rather than eliminates governance tensions, creating new forms of negotiation, institutional overlap, and interdependence between national and subnational actors. Understanding the effectiveness of devolved water governance therefore requires close attention not only to formal constitutional arrangements, but also to how institutions interact in practice, how authority is negotiated, and how governance incentives shape implementation outcomes across different territorial contexts.

This paper contributes to these debates by examining water service delivery under devolved governance in Kenya. It asks how institutional arrangements and intergovernmental relations shape water service delivery outcomes in practice, with particular attention to equity, coordination, and institutional capacity. Rather than evaluating devolution as a normative success or failure, the analysis adopts a more nuanced perspective that explores how devolved water governance actually operates: where it enables locally responsive service delivery, where it produces uneven outcomes, and where institutional bottlenecks constrain its transformative potential. Drawing on systematic qualitative analysis of policy frameworks, legislation, regulatory reports, and county-level planning and budgeting documents, the study examines how devolved governance arrangements are interpreted, negotiated, and operationalized across different levels of government within Kenya's water sector.

1.1 | Water Governance, Decentralization, and Service Delivery

The turn toward decentralization in public service delivery reflects a broader critique of highly centralized governance models. Centralized systems have often been associated with limited sensitivity to local conditions, weak downward accountability, bureaucratic rigidity, and persistent spatial inequalities in access to basic services. In response, decentralization reforms have been promoted as a means of aligning decision-making authority with local knowledge, local priorities, and citizen preferences, thereby improving both efficiency and equity in service provision (Azfar et al. 2018).

Water governance has been a particularly prominent arena for such reforms. The sector's dependence on place-specific infrastructure, hydrological variability, settlement patterns, and local ecological conditions makes it an intuitive candidate for subnational management. Moreover, water services are politically visible and socially consequential, which further strengthens the case for localized decision-making. From this perspective, decentralization is expected to facilitate more adaptive, context-sensitive water governance and to empower local governments to respond more directly to citizen demands and service delivery priorities.

However, a substantial body of research complicates this optimistic narrative. Comparative studies show that decentralization can just as easily fragment authority as enhance coordination, particularly in sectors characterized by complex functional differentiation such as water governance (van de Meene et al. 2011; Naustdalslid 2015). Responsibilities for water resources management, environmental protection, infrastructure financing, regulation, and service provision are frequently dispersed across multiple institutions and territorial scales. When institutional roles are poorly defined or coordination mechanisms remain weak, decentralization may undermine service delivery by creating duplication, delays, regulatory inconsistency, and accountability gaps (Berkes 2010; Gupta and Pahl-Wostl 2013).

As a result, contemporary debates have increasingly shifted away from asking whether decentralization works toward examining the institutional and political conditions under which it improves service delivery outcomes. This literature emphasizes intergovernmental relations, governance incentives, institutional capacity, and regulatory coherence as central determinants of performance (Kuhlmann and Wayenberg 2016). In sectors such as water governance, where service delivery systems are inherently multilevel and institutionally interdependent, understanding decentralization therefore requires close attention to how institutions interact operationally rather than relying solely on formal allocations of responsibility.

Importantly, decentralization reforms do not occur within politically neutral environments. Local political dynamics, fiscal constraints, administrative legacies, and electoral incentives all shape how devolved authority is exercised in practice. In many developing country contexts, decentralization has transferred responsibilities to subnational governments without corresponding investments in technical expertise, institutional systems,

or financial sustainability. Consequently, outcomes often vary significantly across local jurisdictions depending on the interaction between political commitment, governance capacity, and intergovernmental support structures. These dynamics are particularly significant within water governance because water infrastructure requires sustained long-term planning, technical management, maintenance capacity, and coordination across administrative boundaries.

1.2 | Devolution and the Reconfiguration of Kenya's Water Sector

Kenya represents one of the most far-reaching experiments in devolution in Sub-Saharan Africa. The 2010 Constitution fundamentally restructured the state, replacing a historically centralized governance system with a devolved framework comprising 47 county governments endowed with constitutionally protected functions and fiscal authority. Devolution was explicitly framed as a corrective to historical marginalization, regional inequality, centralized patronage, and weak accountability in public service delivery (Kanyinga 2016; Khaunya and Wawire 2015). The reform was therefore not merely administrative in character but also deeply political and redistributive in intent.

In the water sector, this constitutional settlement produced a substantial reallocation of responsibilities. County governments assumed responsibility for water service delivery, including the development, operation, and maintenance of local water infrastructure. At the same time, the national government retained authority over water resources management, sector regulation, national policy formulation, and broader strategic oversight. Institutions such as the Water Services Regulatory Board (WASREB) continued to play important regulatory and oversight roles within the sector, whereas county governments became increasingly central actors in planning and implementing water investments.

This functional division was intended to balance local responsiveness with national coordination and regulatory coherence, particularly given the environmental, hydrological, and interjurisdictional dimensions of water governance (Gachenga 2019). In practice, however, the restructuring created a complex multilevel governance system characterized by institutional interdependence, overlapping authority, and evolving operational relationships between national agencies, county governments, and water service providers.

More than a decade after the operationalisation of devolution following the 2013 general elections, assessments of its impact on water service delivery remain mixed. On the one hand, devolution has expanded political and administrative space at the county level. Locally elected leaders now play a direct role in setting priorities for water investments, and in some counties, this has translated into increased budget allocations, expansion of local water infrastructure, and visible improvements in service access. Devolution has also opened new avenues for citizen engagement and political accountability around water services (Koehler 2018; Ngigi and Busolo 2019).

In several historically underserved counties, devolved governance arrangements have facilitated investment in boreholes,

rural piped schemes, water pans, and small-scale distribution systems that previously received limited attention under centralized planning arrangements. Predictable fiscal transfers to county governments have in some cases enabled greater prioritization of local development needs and increased political responsiveness to long-standing service deficits.

On the other hand, national sector reviews and regulatory assessments continue to report substantial unevenness in service delivery outcomes across counties. Access levels, infrastructure functionality, regulatory compliance, financial sustainability, and operational performance vary considerably between jurisdictions. Many water service providers continue to face persistent financial and technical fragility, whereas some county governments struggle with limited administrative capacity, inadequate maintenance systems, and weak long-term planning frameworks. These patterns suggest that although devolution has created opportunities for locally responsive governance, it has also exposed underlying disparities in institutional capacity and coordination that shape water outcomes in uneven ways.

Equity considerations lie at the heart of this tension. One of the central normative promises of devolution was its potential to address long-standing spatial inequalities in access to public services. Counties that had historically experienced marginalization under centralized planning systems were expected to benefit from greater autonomy, constitutionally protected fiscal transfers, and more locally responsive governance structures. Yet emerging evidence suggests that devolution has not uniformly translated into equitable access to safe and reliable water services across all counties. Instead, outcomes appear to be mediated by variations in political prioritization, institutional capacity, governance quality, and intergovernmental coordination arrangements (Opalo 2020).

1.3 | Intergovernmental Relations, Equity, and the Study's Contribution

A critical insight emerging from Kenya's experience is the central role of intergovernmental relations in shaping water service delivery outcomes under devolution. Although the Constitution and sector legislation formally delineate responsibilities between national and county governments, these boundaries are frequently blurred operationally. Overlapping mandates, ambiguities in role interpretation, and competing political incentives have often generated friction rather than seamless coordination within the water sector.

National institutions responsible for water resources management, regulation, and sector oversight continue to exert substantial influence through policy frameworks, regulatory requirements, licensing systems, funding arrangements, and performance monitoring mechanisms. County governments, in turn, assert their constitutional authority over service delivery and respond primarily to local political pressures and electoral expectations. The resulting governance landscape is therefore characterized less by hierarchical control than by negotiation, contestation, and institutional interdependence, with coordination failures affecting planning, investment, regulation, and implementation processes (Hanssen et al. 2013; Schafer 2020).

These tensions are particularly visible in areas such as regulatory compliance, infrastructure development, asset ownership, licensing arrangements, and operational oversight of water service providers. In some contexts, constructive engagement between national agencies and county governments has facilitated improved planning and implementation coordination. In others, institutional mistrust, fragmented authority, and inconsistent communication have generated duplication, delays, and governance uncertainty within the sector.

Despite the policy significance of these dynamics, existing research on Kenya's devolved water sector remains fragmented. Technical studies often focus on infrastructure, financing, utility performance, or engineering systems, whereas governance-oriented analyses tend to address devolution in broad political or administrative terms without sustained engagement with sector-specific institutional arrangements (Gachenga 2019; Koehler 2018). There remains limited systematic and empirically grounded analysis examining how intergovernmental governance processes shape water service delivery outcomes across counties, particularly with respect to coordination and equity.

This paper addresses this gap by examining how devolution has reshaped water service delivery governance in Kenya through the lens of intergovernmental relations, institutional coordination, and equity. Rather than treating devolution as a binary reform, the study adopts an institutionally grounded perspective that explores how devolved governance operates in practice, where it enables improved outcomes, and where it generates new governance constraints. Specifically, the paper asks three interrelated questions: How has devolution altered water service delivery outcomes across Kenyan counties; how do interactions between national water institutions and county governments shape planning, investment, and regulation; and what institutional bottlenecks constrain effective coordination and equitable service delivery within the sector?

By foregrounding governance processes rather than purely technical factors, the paper contributes to broader debates on decentralized public service delivery and multilevel water governance. The Kenyan case offers analytically important insights for scholars and policymakers concerned with the design and reform of devolved governance systems in contexts characterized by institutional complexity, uneven administrative capacity, and persistent spatial inequality. More broadly, the study contributes to comparative scholarship demonstrating that the effectiveness of decentralized governance depends not simply on formal constitutional allocation of functions, but on the quality of institutional interaction, coordination mechanisms, governance incentives, and administrative capacity shaping implementation in practice.

The remainder of the paper is structured as follows. Section 2 outlines the methodological approach, documentary corpus, and analytical procedures employed in the study. Section 3 presents the empirical findings on water service delivery outcomes, political prioritization, intergovernmental coordination, and institutional bottlenecks under devolution. Section 4 discusses these findings in relation to wider debates on decentralization and water governance, whereas Section 5 concludes with implications for policy, governance reform, and future research.

2 | Methods

This study adopts a qualitative, institutionally grounded research design to examine how devolution has reshaped water service delivery governance in Kenya. The methodological approach is deliberately aligned with the paper's analytical focus on governance processes, intergovernmental relations, institutional coordination, and equity outcomes rather than on narrowly defined technical or engineering performance indicators. In line with institutional research traditions, the analysis prioritizes how formal rules are interpreted and operationalized, how authority is negotiated across levels of government, and how these governance dynamics shape water service delivery outcomes in practice (O'Connor et al. 2008; Herbrechter 2022).

Rather than seeking to establish causal relationships through statistical modeling, the study aims to generate analytically grounded insights into the functioning of devolved water governance systems. This approach is particularly appropriate for sectors characterized by complex institutional arrangements, overlapping mandates, and multilevel decision-making processes in which formal governance structures frequently diverge from operational realities (Azfar et al. 2018). By combining systematic documentary analysis with comparative institutional interpretation across counties, the study captures both the formal design and the practical operation of Kenya's devolved water governance framework.

Importantly, the methodological design was developed to ensure transparency, analytical traceability, and reproducibility within a qualitative governance framework. Particular attention was therefore paid to the systematic selection of documentary materials, comparative analysis across institutional levels, and explicit identification of recurring governance themes shaping water service delivery under devolution.

2.1 | Research Design and Analytical Orientation

The study employs a comparative qualitative design informed by institutional analysis and multilevel governance perspectives. This design allows for close examination of governance arrangements while remaining sensitive to political, administrative, and contextual variation across counties (Kuhlmann and Wayenberg 2016). The analysis is guided by core insights from decentralization and public administration scholarship, which emphasize the importance of intergovernmental relations, institutional incentives, role clarity, and governance capacity in shaping public service delivery outcomes.

Importantly, the comparative logic of the study is analytical rather than evaluative. The objective is not to rank counties or construct a performance league table, but to identify recurring governance patterns, coordination dynamics, institutional tensions, and implementation constraints that illuminate how devolved water governance operates in practice. This analytical orientation enables the study to move beyond isolated county experiences and draw broader insights regarding institutional strengths and governance bottlenecks within Kenya's devolved water sector.

The study is both exploratory and explanatory in orientation. It explores how water governance arrangements have evolved under devolution while also explaining why coordination challenges, capacity disparities, and uneven equity outcomes persist despite constitutional and legislative reforms. In doing so, the analysis aligns with institutional approaches that treat governance outcomes as products of ongoing interaction between formal structures, political incentives, administrative practices, and intergovernmental negotiation rather than as direct consequences of legal design alone.

The research design further reflects the study's emphasis on governance processes rather than purely technical indicators of service delivery performance. Although regulatory and sector performance reports are incorporated into the analysis, these materials are interpreted primarily as institutional artifacts that reveal patterns of coordination, compliance, prioritization, and governance interaction across different levels of the state.

2.2 | Scope of Analysis and Case Selection Logic

The empirical focus of the study is Kenya's devolved water sector, examined through a cross-county lens that captures institutional diversity rather than statistical representativeness. Counties are treated as analytically significant governance units because they hold constitutional responsibility for water service delivery while simultaneously operating within nationally defined regulatory, fiscal, and policy frameworks.

Rather than relying on a small number of narrowly defined case-study counties, the analysis draws on documentary evidence from a range of counties differing in geography, socioeconomic conditions, historical access to water services, urbanization levels, and administrative capacity. Documentary materials were drawn particularly from counties that have featured prominently in national water sector reporting, county planning processes, and devolved service delivery debates, including both historically marginalized and relatively institutionally developed contexts.

This strategy allows the study to identify recurring governance dynamics and coordination challenges that transcend individual

county contexts while still recognizing that devolved governance unfolds unevenly across space. The comparative orientation therefore prioritizes analytical variation and institutional diversity rather than statistical sampling logic. Counties are treated not as isolated units of analysis but as part of a broader multilevel governance system characterized by institutional interdependence and differentiated implementation outcomes.

The county-level analysis is complemented by examination of national institutions responsible for water resources management, regulation, financing, and sector policy oversight. These include the Ministry responsible for water affairs, the Water Services Regulatory Board (WASREB), and related national water governance institutions. This multilevel scope reflects the inherently interdependent nature of water governance under devolution and enables analysis of how national and county actors interact operationally rather than only within formal constitutional design.

The temporal scope of the analysis spans the post-2010 constitutional period, with particular emphasis on developments following the operationalization of devolution after the 2013 general elections. This timeframe captures both the initial institutional transition phase and the more consolidated governance patterns that have emerged over successive electoral cycles and planning periods.

2.3 | Data Sources and Documentary Materials

The study relies exclusively on qualitative documentary sources systematically selected for their relevance to devolved water governance and intergovernmental coordination. Documentary materials were identified through review of publicly accessible legal frameworks, policy repositories, regulatory archives, county government publications, and sector governance reports produced between 2010 and 2025.

The documentary corpus includes constitutional and legislative texts governing devolution and the water sector; national water policies, sector strategies, and reform frameworks; Water Services Regulatory Board (WASREB) performance reports and impact assessments; sector reviews produced by oversight institutions; county integrated development plans; county annual development

TABLE 1 | Main documentary sources analyzed.

Document category	Illustrative sources	Analytical purpose
Constitutional and legal frameworks	Constitution of Kenya (2010); Water Act (2016)	Institutional mandates and governance structure
National policy and strategy documents	National water policies and sector strategies	Policy direction and sector coordination
Regulatory assessments	WASREB IMPACT reports and performance reviews	Regulatory compliance and sector performance
County planning documents	County Integrated Development Plans (CIDPs)	Local priorities and investment orientation
County budget documents	Annual budgets and development plans	Resource allocation and political prioritization
Sector implementation reports	Water sector progress and oversight reports	Institutional interaction and implementation dynamics

plans; county budget estimates; and county-level water sector implementation documents. These materials were selected because they provide direct insight into institutional mandates, governance arrangements, investment priorities, regulatory practices, and intergovernmental coordination dynamics shaping water service delivery under devolution. Table 1 summarizes the main categories of documentary materials analyzed in the study.

Document analysis is particularly well suited to the study's focus on governance arrangements because institutional roles, mandates, coordination mechanisms, and implementation priorities are primarily articulated and formalized through policy and legal instruments (Cooper-Knock and Owen 2018). Regulatory reports and sector assessments provide insight into patterns of compliance, performance, and institutional interaction, whereas county planning and budgeting documents reveal local political priorities, investment choices, and administrative capacity.

To improve transparency and reproducibility, documentary selection was guided by three criteria. First, documents had to relate directly to devolved water governance or water service delivery in Kenya. Second, documents had to originate from publicly accessible governmental, regulatory, or recognized institutional sources. Third, documents had to contain substantive material relevant to institutional coordination, planning, regulation, implementation, or governance performance within the sector.

Where appropriate, secondary scholarly literature on decentralization, governance, and water service delivery was used to contextualize and interpret documentary findings. This literature is not treated as external validation but as an analytical resource that informs interpretation and situates Kenya's experience within broader comparative governance debates.

2.4 | Analytical Strategy

Data were analyzed using a thematic and interpretive approach consistent with qualitative institutional research. Documentary materials were read iteratively to identify recurring governance themes related to intergovernmental coordination, role clarity, institutional capacity, political prioritization, regulatory compliance, and equity outcomes. Particular attention was paid to areas where formal institutional provisions diverged from observed implementation practices, as such divergences frequently reveal underlying governance tensions, incentive misalignments, and operational ambiguities within devolved systems.

The analysis proceeded in two interrelated stages. First, documents were analyzed within their institutional level—national or county—to identify internal priorities, governance logics, implementation constraints, and institutional expectations. Second, cross-level interactions were examined to assess how national regulatory frameworks, sector policies, fiscal arrangements, and oversight mechanisms intersected with county-level planning, budgeting, and implementation processes. This two-stage analytical strategy enabled a more nuanced understanding of multilevel governance dynamics than would have been possible through single-level institutional analysis alone (Lehmann-Willenbrock et al. 2017).

Thematic coding focused particularly on governance processes shaping water service delivery outcomes under devolution. Recurring themes included institutional overlap, coordination challenges, political prioritization of water investments, disparities in technical and administrative capacity, regulatory enforcement, and equity implications of devolved governance arrangements. Table 2 summarizes the principal analytical themes guiding the interpretation of documentary materials.

Comparative insights were generated by examining similarities and differences across counties and over time. Rather than treating counties as isolated cases, the analysis focused on identifying patterned governance dynamics that illuminate broader characteristics of devolved water governance in Kenya. The interpretive emphasis therefore remained on institutional interaction, governance incentives, and operational coordination rather than on narrowly quantitative comparison of service delivery indicators.

To enhance analytical consistency, findings were triangulated across multiple categories of documentary sources wherever possible. Governance claims emerging from county planning documents, for example, were interpreted alongside regulatory reports, sector assessments, and policy frameworks in order to minimize reliance on single-source institutional narratives.

2.5 | Methodological Limitations

As with any qualitative, document-based study, this analysis has limitations. Reliance on documentary sources means that the study reflects governance processes as represented within official texts, policy frameworks, and institutional reports, which may understate informal political negotiations or operational practices occurring outside formal documentation (Cooper-Knock and Owen 2018). Official documents may also reflect institutional priorities and political positioning rather than fully neutral representations of governance realities.

TABLE 2 | Principal analytical themes.

Theme	Illustrative governance concerns
Intergovernmental coordination	Institutional overlap, policy alignment, and operational cooperation
Institutional capacity	Technical expertise, staffing, and administrative capability
Political prioritization	Budget allocation, project visibility, and electoral incentives
Regulatory governance	Compliance, oversight, licensing, and accountability
Equity and access	Spatial inequality, marginalization, and distributional outcomes

In addition, variations in the availability, quality, and consistency of county-level documentation affect the depth of comparative analysis across different counties. Some counties maintain relatively extensive planning and reporting systems, whereas others produce more limited or inconsistent documentary records. Similarly, institutional reporting practices evolved significantly during the early years of devolution, meaning that documentary coverage is more comprehensive for some periods than others.

These limitations are mitigated through triangulation of multiple documentary sources and through grounding the analysis within an explicit institutional framework that treats documents not simply as neutral records but as artifacts of governance processes and institutional interaction. The aim of the study is therefore not to provide an exhaustive account of every county's water sector but rather to generate analytically robust insights into how devolved governance arrangements shape water service delivery outcomes in practice.

2.6 | Ethical Considerations

The study is based entirely on analysis of publicly available documents and secondary sources. It does not involve human subjects, primary data collection, interviews, or access to confidential information. Formal ethical approval and informed consent procedures were therefore not required.

Care was nevertheless taken to interpret documentary materials accurately, contextualize institutional claims appropriately, and avoid selective representation of governance processes or policy positions. The analysis further sought to maintain analytical neutrality by focusing on institutional dynamics and governance arrangements rather than attributing individual responsibility for sector performance outcomes.

3 | Results

This section presents the core empirical findings of the study, focusing on how devolution has reshaped water service delivery governance in Kenya. Rather than treating service delivery outcomes as isolated technical indicators, the analysis foregrounds institutional arrangements, intergovernmental relations, regulatory dynamics, and county-level political and administrative practices that condition these outcomes. Drawing on documentary analysis of regulatory reports, county planning documents, budget frameworks, and sector governance materials, the

findings highlight both the enabling effects of devolution and the structural constraints that continue to shape uneven performance across counties (compare with Berkes 2010; de Loë and Patterson 2017).

Three interrelated findings emerge from the analysis. First, devolution has altered the political salience and prioritization of water services at county level, but with highly uneven effects on service access, infrastructure sustainability, and governance performance. Second, intergovernmental relations between national water institutions and county governments remain a central source of coordination tension, with overlapping mandates and negotiated authority shaping implementation outcomes in practice. Third, persistent institutional bottlenecks—particularly disparities in administrative and technical capacity, financial constraints, and uneven regulatory compliance—continue to constrain the ability of devolved systems to deliver equitable and sustainable water services.

3.1 | Uneven Water Service Delivery Outcomes Under Devolution

A consistent finding across the documentary evidence is that devolution has elevated water service delivery as a politically and developmentally salient issue at county level. Water features prominently within county integrated development plans, annual development plans, and county budget frameworks, reflecting both strong citizen demand and the visibility of water infrastructure as a politically important development good. Analysis of county planning documents and sector reports indicates that devolved governance has enabled increased local prioritization of water investments, particularly in counties that historically experienced infrastructural marginalization under centralized planning arrangements.

In several counties, devolved authority has facilitated expansion of borehole development, small-scale piped water schemes, rehabilitation of stalled infrastructure, and extension of rural water access programs. Regulatory assessments and county implementation reports suggest that some county governments have used devolved fiscal transfers to prioritize local water infrastructure more directly than was previously possible under highly centralized governance structures. These developments are particularly visible in arid and semiarid counties where water scarcity constitutes a highly salient political and developmental concern.

However, the analysis also demonstrates that these gains remain highly uneven and, in some contexts, institutionally

TABLE 3 | Illustrative governance patterns across counties.

Governance pattern	Illustrative observations
Expanded local prioritization of water projects	Increased inclusion of water investments in county plans and budgets
Uneven implementation capacity	Significant variation in project completion and maintenance
Infrastructure expansion without sustainability	Emphasis on construction over long-term maintenance systems
Spatially fragmented service improvements	Localized gains without broader systemic coverage
Variable regulatory compliance	Differences in reporting, licensing, and operational oversight

fragile. Whereas some counties have recorded visible expansion of water infrastructure and service access, others have struggled to convert devolved responsibilities into sustained governance and service delivery improvements. Importantly, the observed variation cannot be explained solely by hydrological or geographical conditions. Rather, documentary evidence suggests that differences in institutional capacity, planning quality, fiscal management, technical expertise, and governance coordination significantly shape implementation outcomes across counties. Table 3 summarizes some of the recurring governance patterns identified across county-level documentary materials.

In counties with limited technical and administrative capacity, newly constructed infrastructure frequently exhibits weak maintenance regimes, operational interruptions, or low functionality rates. Regulatory and sector reports point to recurrent problems of stalled projects, underutilized infrastructure, delayed implementation, and premature system deterioration. These findings suggest that although devolution has expanded local decision-making autonomy, it has not uniformly strengthened the institutional foundations necessary for long-term service delivery sustainability.

The analysis further reveals that infrastructure expansion does not necessarily translate into system-wide governance improvement. In several instances, county planning documents emphasize visible infrastructural expansion while devoting comparatively limited attention to operational maintenance, utility management, asset rehabilitation, or long-term financial sustainability. This creates a pattern in which water infrastructure development may proceed without corresponding strengthening of institutional systems required to sustain reliable service delivery over time.

From an equity perspective, the findings reveal a similarly mixed picture. Predictable intergovernmental fiscal transfers have enabled increased investment in historically underserved areas, particularly in counties that previously experienced marginalization under centralized planning systems. Nevertheless, the scale, depth, and sustainability of these investments vary considerably across contexts. In some counties, service improvements remain spatially fragmented, benefiting specific localities while leaving broader structural inequalities in water access largely intact.

The findings therefore complicate normative assumptions that decentralization inherently produces equitable service delivery outcomes. Instead, the analysis suggests that equity gains under devolution are mediated by governance quality, institutional

capacity, political prioritization, and intergovernmental coordination arrangements. Counties with stronger administrative systems and more coherent planning frameworks appear better positioned to translate devolved authority into sustained improvements in water access and service reliability.

3.2 | County Political Priorities and Investment Patterns

A second major finding concerns the influence of county-level political priorities and investment incentives on water service delivery outcomes. Under devolution, elected county leadership exercises substantial discretion over development planning, budget allocation, and infrastructure prioritization. This political autonomy has, in several contexts, enhanced responsiveness to local water needs, particularly where water scarcity constitutes a politically salient electoral issue.

Documentary evidence from county planning frameworks and annual budget documents indicates that water projects are frequently prioritized because of their visibility and immediate resonance with local constituencies. Water infrastructure occupies a highly symbolic developmental role within county politics because visible investments such as boreholes, pipelines, tanks, and water kiosks are often interpreted by citizens as tangible indicators of governmental responsiveness and development performance.

In counties where political commitment aligns with relatively stronger administrative capacity, this has translated into comparatively sustained investment in water infrastructure and service expansion. Such cases illustrate the potential of devolution to strengthen downward accountability and align service delivery more closely with local development priorities (Koehler 2018). County-level political competition has, in some contexts, increased pressure on local leadership to demonstrate visible improvements in service delivery performance.

At the same time, the analysis reveals that political incentives can also distort investment choices and governance priorities. In several counties, documentary evidence suggests that water projects are selected partly on the basis of short-term political visibility rather than long-term technical need, sustainability considerations, or system-wide planning coherence. This pattern frequently manifests in fragmented investments, duplication of infrastructure, and prioritization of new construction projects over rehabilitation and optimization of existing systems. Table 4 summarizes key political and governance dynamics shaping county-level water investment patterns.

TABLE 4 | County political priorities and investment dynamics.

Governance dynamic	Observed implications
Preference for visible infrastructure	Emphasis on new projects over maintenance
Electoral cycle pressures	Short-term investment prioritization
Local political responsiveness	Increased attention to citizen demands
Fragmented project allocation	Uneven spatial investment patterns
Politicization of development priorities	Misalignment with long-term sector planning

Over time, these dynamics can undermine service reliability and financial sustainability by reinforcing cycles of infrastructure expansion without corresponding investment in maintenance systems, technical staffing, utility governance, and operational management. Several county planning and implementation documents reveal stronger emphasis on project initiation than on long-term institutional sustainability.

Electoral cycles further intensify these governance patterns. Investment activity frequently increases during periods preceding elections, whereas institutional strengthening and maintenance-oriented expenditure receive comparatively less sustained attention. This temporal volatility complicates coordination with national institutions whose regulatory and policy frameworks operate within longer planning horizons. The resulting tension contributes to misalignment between county-level political incentives and broader governance requirements within the water sector (compare with Bues and Theesfeld 2012).

The findings therefore suggest that devolution has not simply decentralized service delivery responsibilities; it has also decentralized political incentives shaping water governance outcomes. The implications of this shift vary considerably depending on the interaction between local political priorities, institutional capacity, and regulatory coordination mechanisms.

3.3 | Intergovernmental Relations and Negotiated Authority

Intergovernmental relations emerge as a central determinant of water service delivery governance under devolution. Although constitutional and legislative frameworks formally delineate responsibilities between national and county governments, the findings indicate that authority within the water sector remains operationally negotiated rather than clearly separated.

National institutions responsible for water resources management, regulation, and sector oversight continue to shape county-level decision-making through policy directives, licensing systems, regulatory requirements, funding arrangements, and performance monitoring frameworks. County governments, however, assert their constitutional mandate over water service delivery and frequently resist what they perceive as continued centralized control over devolved functions. This tension produces a governance environment characterized by negotiation, selective compliance, institutional overlap, and, in some cases, operational stalemate (Hanssen et al. 2013; Schafer 2020).

Documentary evidence indicates that coordination outcomes vary substantially across contexts. In some cases, constructive engagement between national agencies and county governments facilitates alignment between policy objectives and implementation practices. In others, weak communication, fragmented institutional authority, and intergovernmental mistrust generate duplication, delays, and inconsistent regulatory compliance.

Several recurring coordination tensions emerged across documentary sources, particularly in relation to licensing arrangements, operational oversight of water service providers,

infrastructure development, and interpretation of institutional mandates. Governance disputes surrounding asset ownership, project implementation authority, and regulatory enforcement illustrate the continuing complexity of operationalizing devolved water governance within a multilevel institutional environment. Figure 1 summarizes the principal governance relationships shaping Kenya's devolved water sector.

The findings suggest that formal institutional design alone is insufficient to ensure effective coordination within devolved governance systems. Informal practices, institutional relationships, power asymmetries, and political incentives play a decisive role in shaping how devolved authority is exercised operationally. Where intergovernmental coordination mechanisms are weak or adversarial, service delivery outcomes frequently deteriorate regardless of formal constitutional role clarity.

Importantly, the analysis indicates that governance tensions are not necessarily exceptional disruptions within the devolved system but rather routine features of multilevel governance interaction. Water governance under devolution therefore operates less through stable hierarchical control than through continuous negotiation among institutionally interdependent actors operating across different scales of authority.

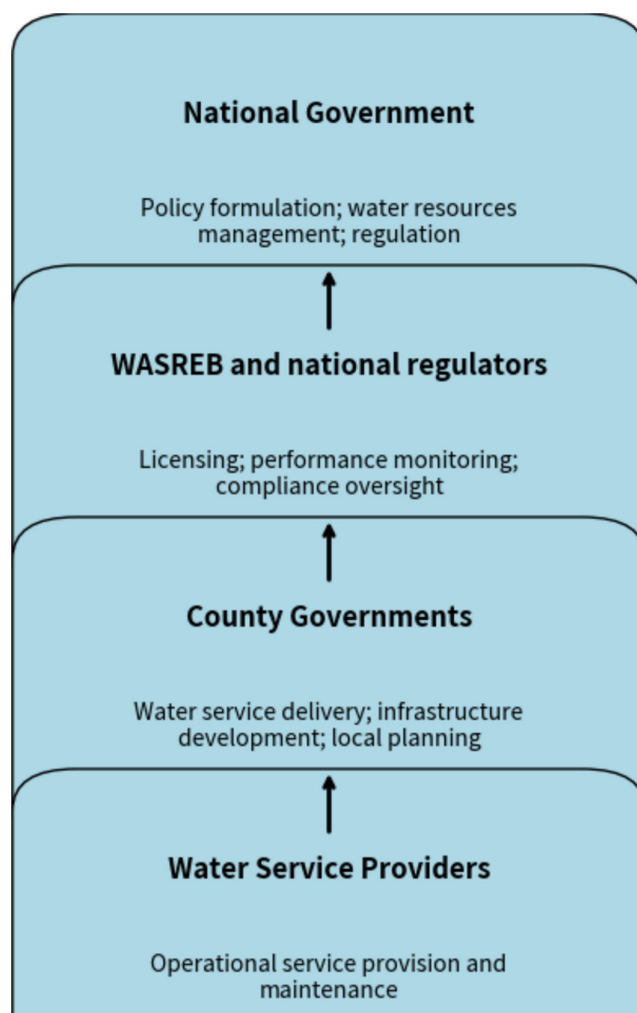


FIGURE 1 | Simplified governance structure of Kenya's devolved water sector.

3.4 | Institutional Bottlenecks in Devolved Water Governance

Beyond intergovernmental tensions, the analysis identifies several structural bottlenecks that continue to constrain the effectiveness of devolved water service delivery systems. Capacity disparities across counties emerge as particularly significant. Whereas some counties have developed relatively stronger technical and administrative systems, others remain heavily dependent on external technical support, limiting their ability to plan, implement, regulate, and maintain water infrastructure effectively (Jaros 2016).

Documentary evidence repeatedly points to shortages of technical personnel, weak project management systems, limited monitoring capacity, and inconsistent maintenance arrangements within several county water departments and utilities. In counties with constrained administrative capacity, implementation challenges frequently extend beyond infrastructure financing to include operational governance weaknesses and institutional fragility.

Financial constraints further exacerbate these governance challenges. Although counties receive constitutionally protected intergovernmental transfers, the scale of available resources often remains insufficient relative to accumulated infrastructure deficits, rapid population growth, and expanding service demands. County budget documents and sector implementation reports reveal persistent tension between developmental expectations and available fiscal capacity.

Delays in disbursement of funds, rigid budgetary procedures, and competing sectoral priorities further constrain implementation flexibility and affect both project timelines and service sustainability. In some counties, infrastructure expansion ambitions substantially exceed available operational and maintenance capacity, contributing to deterioration of newly developed systems over time. Table 5 summarizes the principal institutional bottlenecks identified across documentary materials.

Regulatory compliance constitutes an additional governance bottleneck. National regulators establish performance standards, monitoring systems, and reporting frameworks, but compliance across counties remains uneven. In resource-constrained contexts, regulatory requirements are sometimes treated as secondary to immediate service expansion pressures, thereby undermining long-term governance sustainability and accountability (Farmer 2018).

Taken together, these findings reveal that the challenges affecting devolved water governance are systemic rather than episodic. They are embedded within broader institutional arrangements, governance incentives, administrative disparities, and coordination structures that shape how devolution functions operationally across counties.

3.5 | Summary of Key Findings

The results demonstrate that devolution has reshaped water service delivery governance in Kenya in substantive but uneven ways. Devolved authority has increased the political salience of water services and enabled more locally responsive investment in several counties, particularly within historically underserved regions. At the same time, substantial disparities in institutional capacity, political prioritization, regulatory compliance, and intergovernmental coordination continue to constrain equitable and sustainable outcomes.

The findings further demonstrate that water governance under devolution operates through negotiated and institutionally interdependent relationships rather than through clearly stabilized hierarchical arrangements. Formal constitutional allocation of functions has therefore not eliminated operational ambiguity, coordination tensions, or governance fragmentation within the sector.

Overall, the analysis reinforces the argument that water service delivery under devolution is fundamentally a governance challenge rather than a purely technical one. The effectiveness of decentralized systems depends not only on formal assignment of responsibilities but also on the quality of institutional interaction, governance coordination, political incentives, administrative capacity, and regulatory alignment shaping implementation in practice.

4 | Discussion

This section interprets the empirical findings in relation to broader debates on devolution, water governance, institutional coordination, and public service delivery. Rather than merely restating the results, the discussion examines what Kenya's experience reveals about how devolved governance systems operate in practice, the conditions under which decentralization contributes to improved water service delivery, and the structural limitations that emerge when institutional coordination and governance capacity remain uneven. The Kenyan case illustrates both the transformative

TABLE 5 | Institutional bottlenecks affecting devolved water governance.

Institutional constraint	Governance implications
Technical capacity shortages	Weak implementation and maintenance
Financial limitations	Delayed or incomplete infrastructure delivery
Weak maintenance systems	Infrastructure deterioration
Uneven regulatory compliance	Accountability and sustainability challenges
Fragmented coordination	Duplication and implementation delays

possibilities and the operational fragilities of devolved governance, particularly within sectors such as water that are characterized by multilevel authority, technical complexity, long-term infrastructural demands, and strong distributive implications.

The discussion proceeds in four interrelated parts. First, it situates the observed uneven outcomes within wider comparative debates on decentralization and institutional capacity. Second, it examines intergovernmental relations as a central governance challenge rather than a secondary implementation concern. Third, it revisits the equity promise of devolution by exploring how political incentives and institutional arrangements mediate redistributive outcomes. Finally, it reflects on the broader implications of these findings for the design, coordination, and reform of devolved water governance systems in Kenya and comparable contexts.

4.1 | Devolution, Institutional Capacity, and Uneven Governance Outcomes

One of the clearest insights emerging from the findings is that devolution has not produced uniform improvements in water service delivery across Kenyan counties. This outcome strongly resonates with comparative scholarship questioning linear assumptions that decentralization necessarily improves governance performance or service delivery outcomes (Mosca 2006; Moglia et al. 2011). Although devolution creates opportunities for local responsiveness and political visibility around water services, it also exposes and, in some cases, amplifies pre-existing disparities in institutional capacity, fiscal resources, administrative systems, and technical expertise.

Documentary evidence analyzed in this study suggests that counties entered the devolved system with markedly different institutional starting points. Some inherited relatively developed infrastructure networks, stronger technical staffing profiles, and more established administrative systems, whereas others began from positions characterized by severe infrastructural deficits and historically limited state investment. Although devolution redistributed governance authority, it did not automatically equalize the institutional capacity required to operationalize devolved functions effectively. This pattern mirrors findings from broader decentralization literature demonstrating that decentralized governance systems frequently reproduce uneven outcomes where institutional strengthening mechanisms are weak or inconsistently distributed (Azfar et al. 2018; Jaros 2016).

In the water sector, these disparities carry particularly significant implications because service delivery depends not only on capital investment but also on sustained technical management, maintenance systems, regulatory oversight, and long-term planning capability. Counties with stronger institutional systems appear better positioned to translate devolved authority into relatively sustained service delivery improvements, whereas counties with weaker administrative capacity frequently struggle with implementation delays, infrastructure deterioration, operational inefficiencies, and fragmented planning systems.

Importantly, the findings suggest that the relationship between devolution and service delivery is mediated by governance

quality rather than determined solely by constitutional design. The Kenyan case therefore reinforces an important theoretical proposition within decentralization scholarship: Decentralization should be understood primarily as a redistribution of governance responsibility and political authority rather than as an automatic guarantee of improved developmental outcomes. Without deliberate investment in institutional strengthening, administrative systems, technical expertise, and governance coordination, devolved systems risk reproducing or even deepening existing territorial inequalities. This observation aligns with Berkes' (2010) argument that devolved environmental governance systems often generate uneven outcomes unless accompanied by sustained institutional support and local capacity development.

The findings further indicate that governance capacity should not be conceptualized narrowly in technical or bureaucratic terms alone. Administrative capability, political commitment, planning coherence, regulatory alignment, and institutional coordination interact in complex ways to shape implementation outcomes. Counties that combine political prioritization of water services with relatively stronger institutional systems appear more capable of sustaining service delivery improvements over time than counties where investment decisions remain fragmented or weakly integrated into broader governance frameworks.

4.2 | Intergovernmental Relations as a Core Governance Challenge

A second major insight emerging from the study concerns the centrality of intergovernmental relations within devolved water governance. The findings demonstrate that water service delivery under devolution does not operate through a clean or stable hierarchical division of labor between national and county governments. Instead, governance authority within the sector is continually negotiated across multiple institutional actors operating at different territorial scales. This pattern aligns closely with broader theories of multilevel and polycentric governance, which emphasize overlapping authority, institutional interdependence, and negotiated coordination rather than rigid functional separation (Gupta and Pahl-Wostl 2013; Naustdalslid 2015).

Although constitutional and legislative frameworks formally assign water service delivery responsibilities to county governments, national institutions continue to exert substantial influence through regulation, policy frameworks, licensing systems, oversight mechanisms, and financing arrangements. County governments, however, derive political legitimacy from constitutional devolution and respond primarily to local developmental pressures and electoral expectations. The interaction between these competing institutional logics creates a governance environment characterized by negotiation, selective compliance, institutional tension, and periodic operational conflict.

The findings therefore challenge governance perspectives that treat coordination primarily as a technical or procedural issue. In practice, coordination within Kenya's devolved water sector emerges as a deeply political process shaped by institutional interests, resource asymmetries, accountability structures,

and struggles over operational authority. Governance tensions surrounding licensing, infrastructure development, asset ownership, and oversight responsibilities illustrate that intergovernmental coordination failures are not simply administrative anomalies but recurring structural features of multilevel governance systems.

This observation is consistent with Hanssen et al. (2013) and Schafer (2020), who argue that coordination within decentralized systems is inherently shaped by power relations and institutional negotiation rather than by formal legal design alone. The Kenyan experience similarly demonstrates that formal constitutional role allocation does not automatically eliminate operational ambiguity or institutional overlap. Rather, governance outcomes depend significantly on the quality of interaction, communication, trust, and cooperation among interdependent institutions.

Importantly, the findings also reveal that intergovernmental coordination outcomes vary across contexts. In some instances, relatively constructive engagement between national institutions and county governments facilitates policy alignment and smoother implementation processes. In others, institutional mistrust, fragmented communication, and contested authority generate delays, duplication, and inconsistent regulatory compliance. These variations suggest that operational relationships and informal governance practices may be as important as formal institutional arrangements in shaping service delivery outcomes under devolution.

The study therefore reinforces the argument that improving devolved water governance requires more than clarifying formal mandates. It also requires institutional mechanisms capable of mediating competing interests, supporting structured engagement, and aligning incentives across levels of government. Without such mechanisms, even relatively well-developed legal frameworks struggle to translate into coherent governance outcomes in practice.

4.3 | Revisiting the Equity Promise of Devolution

Equity formed one of the central normative justifications for devolution in Kenya. The expectation that devolved governance would address historical marginalization and spatial inequality in access to public services featured prominently within constitutional debates and broader political discourse surrounding the restructuring of the Kenyan state (Kanyinga 2016; Khaunya and Wawire 2015). Yet the findings of this study suggest that equity outcomes under devolution remain conditional rather than automatic.

The analysis indicates that devolution has indeed expanded opportunities for investment in historically underserved areas, particularly through constitutionally protected fiscal transfers and increased county-level prioritization of local infrastructure needs. In several counties, devolved governance arrangements have facilitated visible expansion of water infrastructure in areas that had experienced chronic underinvestment under centralized governance systems. These findings support arguments that decentralization can improve responsiveness to territorially specific developmental needs.

However, the results simultaneously demonstrate that these gains remain highly uneven across counties and, in some cases, spatially fragmented within counties themselves. Counties differ substantially in how they prioritize water relative to competing development pressures, how effectively they mobilize and manage resources, and how institutional capacity shapes implementation quality. Consequently, devolution has not uniformly translated into equitable or system-wide improvements in access to reliable water services.

The findings further reveal that local political incentives strongly mediate redistributive outcomes. In some contexts, county governments strategically direct investments toward historically marginalized communities or underserved rural areas. In others, resources flow disproportionately toward politically visible projects capable of generating immediate electoral legitimacy but with limited long-term redistributive impact. This dynamic illustrates that decentralization does not eliminate politics from service delivery; rather, it relocates and restructures political competition within subnational governance arenas.

These findings resonate with emerging scholarship on equity within water governance systems, which emphasizes that equitable outcomes require explicit governance mechanisms, accountability structures, and institutional safeguards rather than reliance on decentralization alone (Seigerman et al. 2023). Equity, from this perspective, is not an inherent characteristic of devolved governance arrangements but a politically mediated outcome shaped by institutional priorities, governance incentives, and administrative capacity.

The Kenyan case therefore complicates normative assumptions that decentralization automatically produces redistributive justice or territorially balanced development. Instead, the findings suggest that devolution creates opportunities for more locally responsive governance while simultaneously generating new forms of unevenness linked to disparities in institutional capacity, governance quality, and political prioritization across counties.

4.4 | Political Incentives, Temporal Dynamics, and Governance Sustainability

An additional contribution of this study lies in highlighting the temporal and political dimensions of devolved water governance. County-level political incentives, strongly shaped by electoral cycles and local accountability pressures, influence not only the scale of water investments but also the type of projects prioritized and the governance approaches adopted. The preference for visible, short-term infrastructural investments over long-term maintenance and institutional strengthening reflects broader patterns observed within decentralized public service delivery systems (Farmer 2018).

The findings indicate that county governments frequently prioritize projects capable of generating immediate developmental visibility and political recognition. Boreholes, pipelines, storage tanks, and new water schemes often function not only as service delivery interventions but also as politically symbolic demonstrations of governmental responsiveness. Although

such investments may improve local access in important ways, the analysis suggests that they can also encourage fragmented infrastructure expansion without corresponding attention to operational sustainability, maintenance systems, and utility governance.

Electoral cycles intensify these governance dynamics. Investment activity frequently accelerates during politically sensitive periods preceding elections, while longer term institutional strengthening initiatives receive comparatively less sustained attention. This creates temporal misalignment between county-level political incentives and the longer planning horizons required for sustainable water governance and infrastructural management.

These temporal dynamics further complicate coordination with national regulatory and policy institutions, whose governance frameworks generally operate within longer term strategic and technical planning cycles. The resulting mismatch between short-term political incentives and long-term governance requirements contributes to infrastructure deterioration, inconsistent maintenance practices, and uneven system sustainability across counties.

Recognizing these temporal governance tensions is therefore critical to understanding the operational realities of devolved water governance. The findings suggest that governance reform efforts focusing exclusively on institutional structure or constitutional role allocation risk overlooking how electoral incentives and political time horizons shape implementation outcomes in practice. Sustainable water governance under devolution consequently requires institutional arrangements capable of balancing political responsiveness with long-term infrastructural and governance sustainability.

4.5 | Implications for Devolved Water Governance

Taken together, the findings suggest that improving water service delivery under devolution requires a shift in how governance reform is conceptualized and operationalized. Rather than focusing narrowly on functional assignment or institutional proliferation, reform efforts should prioritize intergovernmental coordination, institutional capacity development, regulatory alignment, and governance mechanisms capable of supporting equitable and sustainable implementation outcomes.

For Kenya, this implies strengthening platforms for structured engagement between national and county institutions, clarifying operational responsibilities without undermining constitutional autonomy, and developing governance incentives that reward coordination and long-term system sustainability rather than fragmented competition. The findings also point to the importance of sustained investment in county-level technical, administrative, and planning capacity, particularly within historically marginalized counties facing acute infrastructural deficits.

More broadly, the Kenyan case offers important lessons for other countries pursuing or consolidating decentralized water

governance reforms. It demonstrates that the effectiveness of devolved governance depends not simply on constitutional design but on how institutional interaction, political incentives, administrative systems, and coordination mechanisms operate in practice within complex multilevel governance environments.

Ultimately, the study reinforces the broader argument that water service delivery under devolution is fundamentally a governance challenge rather than a purely technical one. Devolution creates opportunities for local responsiveness and political inclusion, but realizing these possibilities requires sustained attention to institutional coordination, governance quality, administrative capacity, and the political dynamics shaping implementation across levels of government.

5 | Conclusion

This paper has examined how devolution has reshaped water service delivery governance in Kenya, with particular attention to intergovernmental relations, institutional coordination, institutional capacity, and equity outcomes. Drawing on a qualitative and institutionally grounded analysis of constitutional provisions, regulatory reports, policy frameworks, and county-level planning and budgeting documents, the study demonstrates that devolution has significantly reconfigured the governance landscape of the water sector. In doing so, it has expanded county-level authority and political responsiveness while simultaneously generating new governance tensions associated with coordination, regulatory alignment, administrative capacity, and uneven implementation outcomes.

The findings show that devolution has created important opportunities for more locally responsive water service delivery, particularly in counties where political prioritization of water services aligns with relatively stronger institutional and technical capacity. In several contexts, devolved governance has enabled counties to expand investment in local water infrastructure, respond more directly to community demands, and address long-standing service deficits that had persisted under centralized governance arrangements. However, the analysis also demonstrates that these gains remain uneven and institutionally differentiated across counties. Water service delivery outcomes continue to vary significantly depending on the quality of governance systems, administrative capability, political incentives, and the effectiveness of intergovernmental coordination mechanisms shaping implementation in practice.

A central contribution of the study lies in foregrounding intergovernmental relations as a core determinant of water service delivery outcomes under devolution. The Kenyan case illustrates that formal constitutional and legislative assignment of functions, although necessary, is insufficient on its own to ensure effective coordination within complex multilevel governance systems. Documentary evidence analyzed in this study indicates that overlapping mandates, negotiated authority, fragmented operational relationships, and ambiguities in role interpretation continue to shape planning, investment, regulation, and implementation processes across the sector. These findings reinforce broader arguments within water governance and decentralization scholarship that coordination challenges within

devolved systems are fundamentally political and institutional rather than merely technical or procedural.

The paper also revisits the equity promise that accompanied Kenya's devolved governance reforms. While devolution has expanded opportunities for investment in historically underserved areas and increased political attention to local water needs, equitable outcomes have not emerged uniformly across counties. Instead, the findings suggest that equity gains remain contingent on how counties prioritize water relative to competing development pressures, how resources are mobilized and allocated, and how institutional capacity shapes implementation effectiveness. This observation suggests that decentralization should be understood as creating possibilities for redistribution and local responsiveness rather than delivering equitable outcomes automatically. Without explicit equity-oriented governance frameworks, stronger accountability mechanisms, and sustained institutional support, devolved systems risk reproducing or reshaping rather than eliminating existing spatial inequalities in water access and service quality.

From a governance and policy perspective, the findings point to the need for a shift in emphasis from institutional restructuring alone toward strengthening governance processes and coordination systems. Improving water service delivery under devolution requires clearer operational role definition, stronger mechanisms for intergovernmental engagement, improved regulatory alignment, and sustained investment in county-level administrative and technical capacity. Importantly, such reforms must balance the need for effective coordination with respect for constitutional devolution and local political autonomy, recognizing that national and county actors remain institutionally interdependent within Kenya's water sector.

More broadly, this study contributes to comparative debates on decentralized water governance by demonstrating that the effectiveness of devolved systems depends less on the formal allocation of responsibilities than on how institutions interact operationally within complex governance environments. The Kenyan experience illustrates how decentralization can simultaneously create opportunities for local responsiveness while generating new forms of coordination tension, institutional fragmentation, and uneven implementation outcomes. These insights hold broader relevance for countries pursuing or consolidating decentralized governance reforms within sectors characterized by strong intergovernmental interdependence and persistent developmental inequality.

The study further contributes methodologically by demonstrating the analytical value of systematic documentary and institutional analysis in examining governance processes within decentralized systems. By combining analysis of constitutional frameworks, regulatory reports, county planning documents, and sector governance materials, the paper provides a more institutionally grounded account of devolved water governance than is often available within technically oriented service delivery studies. In doing so, it highlights the importance of examining governance interaction, operational practice, and institutional coordination rather than relying solely on formal constitutional design or aggregate service indicators when assessing decentralized governance reforms.

Future research could build on this analysis by examining how intergovernmental governance dynamics evolve over time, particularly across successive electoral cycles and changing fiscal conditions. Comparative research across counties or across countries with different decentralization models would further strengthen understanding of the institutional and political conditions under which devolved governance systems are more likely to deliver equitable and sustainable water service outcomes. Additional research integrating documentary analysis with field-based institutional and stakeholder perspectives could also deepen understanding of how formal governance arrangements are operationalized in practice at local levels.

In conclusion, devolution has reshaped water service delivery governance in Kenya in ways that are both enabling and constraining. It has expanded opportunities for local political responsiveness and territorially grounded development while simultaneously exposing enduring institutional, administrative, and coordination challenges within the sector. The findings of this study suggest that realizing the developmental and equity promises of devolved water governance requires sustained attention not only to infrastructure investment but also to governance quality, intergovernmental coordination, institutional capacity, and long-term system sustainability. Ultimately, the effectiveness of devolved water governance depends less on constitutional design alone than on the ability of institutions across levels of government to coordinate, adapt, and govern collectively within a complex and evolving multilevel governance environment.

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The author has nothing to report.

Ethics Statement

This study is based exclusively on analysis of publicly available documents and secondary sources. It did not involve human participants, primary data collection, or access to personal or confidential information. As such, formal ethical approval was not required.

Consent

The author has nothing to report.

Conflicts of Interest

The author declares no conflicts of interest.

Data Availability Statement

All data analyzed during this study are derived from publicly available policy documents, legal texts, regulatory reports, and county-level planning materials. No new datasets were generated for the purposes of this research.

References

- Azfar, O., S. Kahkonen, A. Lanyi, P. Meagher, and D. Rutherford. 2018. "Decentralization, Governance and Public Services: The Impact of Institutional Arrangements." In *Devolution and Development*, 45–88. Routledge. <https://www.taylorfrancis.com/chapters/edit/10.4324/>

- 9781351160001-13/decentralization-governance-public-services-impact-institutional-arrangements-omar-azfar-satu-kahkonen-anthony-lanyi-patrick-meagher-diana-rutherford.
- Berkes, F. 2010. "Devolution of Environment and Resources Governance: Trends and Future." *Environmental Conservation* 37, no. 4: 489–500.
- Bues, A., and I. Theesfeld. 2012. "Water Grabbing and the Role of Power: Shifting Water Governance in the Light of Agricultural Foreign Direct Investment." *Water Alternatives* 5, no. 2: 266–283. <https://www.water-alternatives.org/index.php/all-abs/169-a5-2-5/file>.
- Cooper-Knock, S. J., and O. Owen. 2018. "Government Paper: The Negotiated Production and Life of State Documents." *Canadian Journal of African Studies/Revue Canadienne Des Études Africaines* 52, no. 3: 269–287. <https://doi.org/10.1080/00083968.2018.1546601>.
- de Loë, R. C., and J. J. Patterson. 2017. "Rethinking Water Governance: Moving Beyond Water-Centric Perspectives in a Connected and Changing World." *Natural Resources Journal* 57, no. 1: 75–100.
- Farmer, J. L. 2018. "Connecting Theory With Practice: The Institutional Evolvment of U.S. Counties Functioning as Regional Service Providers." *American Review of Public Administration* 48, no. 8: 808–821. <https://doi.org/10.1177/0275074017730399>.
- Gachenga, E. 2019. *Kenya's Water Act (2016): Real Devolution or Simply the 'Same Script, Different Cast'*. Nomos Verlagsgesellschaft mbH & Co. KG. <https://pdfs.semanticscholar.org/7662/c6ce9b637e6f2ddbc361ab62c52de1dd58b4.pdf>.
- Gupta, J., and C. Pahl-Wostl. 2013. "Global Water Governance in the Context of Global and Multilevel Governance: Its Need, Form, and Challenges." *Ecology and Society* 18, no. 4: 53–62. https://www.jstor.org/stable/26269440?casa_token=27PrUrE_9GQAAAAA:QHpu_NQy877H7c_47OzUefBFNXc9_-Je2Alv67uYdYZfADMcDvAuW6OJskp5D6nn6Akm99YJQCjCifAuSZ7GhP7m5uo5k6NrL0U8umeETGBpJTnjlApA.
- Hanssen, G. S., P. K. Mydske, and E. Dahle. 2013. "Multi-Level Coordination of Climate Change Adaptation: By National Hierarchical Steering or by Regional Network Governance?" *Local Environment* 18, no. 8: 869–887.
- Herbrechter, D. 2022. "Empirically Grasping the Institutional: Methodological Reflections on Institutional Research Using Grounded Theory." *Internationales Jahrbuch der Erwachsenenbildung* 45, no. 1: 39–57.
- Jaros, K. 2016. "Rethinking Subnational Government Capacity in China." *Journal of Chinese Governance* 1, no. 4: 633–653. <https://doi.org/10.1080/23812346.2016.1243377>.
- Kanyinga, K. 2016. "Devolution and the New Politics of Development in Kenya." *African Studies Review* 59, no. 3: 155–167.
- Khaunya, M. F., and B. P. Wawire. 2015. "Devolved Governance in Kenya; Is It a False Start in Democratic Decentralization for Development?" https://www.ejournalofbusiness.org/archive/vol4no1/vol4no1_4.pdf.
- Koehler, J. 2018. "Exploring Policy Perceptions and Responsibility of Devolved Decision-Making for Water Service Delivery in Kenya's 47 County Governments." *Geoforum* 92: 68–80.
- Kuhlmann, S., and E. Wayenberg. 2016. "Institutional Impact Assessment in Multi-Level Systems: Conceptualizing Decentralization Effects From a Comparative Perspective." *International Review of Administrative Sciences* 82, no. 2: 233–254. <https://doi.org/10.1177/0020852315583194>.
- Lehmann-Willenbrock, N., M. M. Chiu, Z. Lei, and S. Kauffeld. 2017. "Understanding Positivity Within Dynamic Team Interactions: A Statistical Discourse Analysis." *Group & Organization Management* 42, no. 1: 39–78. <https://doi.org/10.1177/1059601116628720>.
- Moglia, M., S. Cook, A. K. Sharma, and S. Burn. 2011. "Assessing Decentralised Water Solutions: Towards a Framework for Adaptive Learning." *Water Resources Management* 25, no. 1: 217–238. <https://doi.org/10.1007/s11269-010-9696-7>.
- Mosca, I. 2006. "Is Decentralisation the Real Solution?: A Three Country Study." *Health Policy* 77, no. 1: 113–120.
- Naustdalslid, J. 2015. "Multi-Level Water Governance—The Case of the Morsa River Basin in Norway." *Journal of Environmental Planning and Management* 58, no. 5: 913–931. <https://doi.org/10.1080/09640568.2014.899895>.
- Ngigi, S., and D. N. Busolo. 2019. "Devolution in Kenya: The Good, the Bad and the Ugly." *Public Policy and Administration Research* 9, no. 6: 9–21.
- O'Connor, M. K., F. E. Netting, and M. L. Thomas. 2008. "Grounded Theory: Managing the Challenge for Those Facing Institutional Review Board Oversight." *Qualitative Inquiry* 14, no. 1: 28–45. <https://doi.org/10.1177/1077800407308907>.
- Ojha, H. R., K. Devkota, C. Pandey, et al. 2021. "Urban Water Security Under a Changing Climate: Is Nepal's Water Policy on the Right Track?" *World Water Policy* 7, no. 2: 296–318. <https://doi.org/10.1002/wwp2.12063>.
- Opalo, K. O. 2020. "Citizen Political Knowledge and Accountability: Survey Evidence on Devolution in Kenya." *Governance* 33, no. 4: 849–869. <https://doi.org/10.1111/gove.12498>.
- Schafer, H. 2020. "Reviewing Intergovernmental Institutions in Federal Systems: Opportunity for Cooperation." *Indiana Journal of Constitutional Design* 4: 1.
- Seigerman, C. K., S. K. McKay, R. Basilio, et al. 2023. "Operationalizing Equity for Integrated Water Resources Management." *JAWRA Journal of the American Water Resources Association* 59, no. 2: 281–298. <https://doi.org/10.1111/1752-1688.13086>.
- van de Meene, S. J., R. R. Brown, and M. A. Farrelly. 2011. "Towards Understanding Governance for Sustainable Urban Water Management." *Global Environmental Change* 21, no. 3: 1117–1127.