



NAVIGATING CONTESTED MANDATES: INTERGOVERNMENTAL RELATIONS AND WATER INFRASTRUCTURE DEVELOPMENT IN KAJIADO WEST SUB COUNTY

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Abstract

Kajiado West Sub-County is a semi-arid area of Kenya that experiences recurrent water shortages, while county planning documents identify groundwater and other water resources as important components of local water supply. This study evaluates how intergovernmental relations shape water-infrastructure development under Kenya's devolved system of governance. Guided by Falleti's sequential theory of decentralization, the study adopted a convergent mixed-methods design. The quantitative component drew from a target population of 353, from which a sample of 188 was calculated using Yamane's formula, while the qualitative component involved 18 key informants. Questionnaires and semi-structured interviews were used to collect data. Quantitative data were analyzed using descriptive statistics in SPSS, while qualitative data were analyzed thematically and integrated with the quantitative results to identify convergence and divergence. The findings indicate that respondents perceived relations between national and county actors in the water sector as strained, particularly because of contested functional boundaries, resource-allocation disputes, delayed disbursements, and weak coordination. About 68.4% of respondents rated relations between the two levels of government as poor or very poor; 84.6% reported that relations between the County Government of Kajiado and national water institutions adversely affected water-service delivery; and 88.9% reported that relations among national water institutions affected service delivery. The study concludes that weak coordination and contested mandates constrain the planning, implementation and sustainability of water infrastructure. It recommends stronger use of the cooperative-government mechanisms under Article 189 of the Constitution, clearer operational coordination under the Water Act, 2016 as amended, improved information sharing, and a joint county-national coordination framework for water-infrastructure development.

Keywords: *Intergovernmental Relations; Devolution; Water Governance; Water Infrastructure; Kajiado; Kenya.*

INTRODUCTION

Intergovernmental relations (IGR) refer to the processes, institutions and interactions through which governments within a political system coordinate, negotiate, cooperate and, at times, compete in the exercise of public functions (Phillimore, 2013). IGR should be distinguished from the horizontal doctrine of separation of powers among the executive, legislature and judiciary. In Kenya, vertical intergovernmental relations are grounded in the constitutional distribution of functions between the national and county governments and in the requirement that the two levels conduct their relations through consultation and cooperation (Constitution of Kenya, 2010, Arts. 6(2), 186 and 189; Intergovernmental Relations Act, 2012). This framework is particularly important in the water sector, where water-resource regulation and national public water works intersect with the constitutionally devolved responsibility for county water and sanitation services.

Against this background, the study examines three dimensions of intergovernmental relations in Kajiado West Sub-County: first, relations between the national and county governments and their effects on water-service delivery; second, relations between the County Government of Kajiado and national water institutions operating in the Sub-County; and third, relations among national water institutions themselves. Quantitative and qualitative findings are presented separately and then integrated to identify areas of convergence, complementarity and divergence.

METHODOLOGY

The study began with a review of empirical and legal literature on intergovernmental relations, devolution and water-infrastructure development. Field research was then undertaken in Kajiado West Sub-County. A convergent mixed-methods design was used, with quantitative and qualitative data collected during the same phase and analyzed initially as distinct strands before integration (Bell et al., 2022; Dawadi et al., 2021). The quantitative component had a target population of 353 and a calculated sample of 188 using Yamane's formula. The qualitative component involved 18 key informants who were purposively selected. Institutional approval for the research was sought and obtained and the data collected was for academic purposes and treated with confidentiality.

Questionnaires were administered to selected 25 national- and county-government administrators, 80 NGO officials, and 81 principals and head teachers of public and private schools and 2 managers of water institutions across the Sub-County. The respondents were targeted because they were fairly educated and knowledgeable about matters water governance in order to conclusively answer the research questions. In addition, they operated within the Sub County, frequently interacted with residents and consume water hence stakeholders. Questionnaires were distributed electronically to NGO and school respondents and administered in person to government administrators and managers of water institutions. Quantitative data were analyzed using descriptive statistics in Statistical Package for Social Sciences (SPSS). Qualitative data were collected through face-to-face semi-structured interviews with 10 county-government officials, 4 officials from the ministry responsible for water, and 4 local elected leaders. The qualitative material was organized using in – depth description and analyzed thematically before being integrated with the quantitative findings.

RESEARCH FINDINGS ON INTERGOVERNMENTAL RELATIONS AND WATER-INFRASTRUCTURE DEVELOPMENT

This section first reviews relevant empirical literature on intergovernmental relations and water-sector governance and then presents findings from the field study conducted in Kajiado West Sub-County.

Critical Review of Empirical Literature on Intergovernmental Relations in the Water Sector

The term intergovernmental relations emerged in United States scholarship in the 1930s and is closely associated with William Anderson's work on relations among national, state and local governments (Wright, 2006). Contemporary IGR scholarship extends beyond federal systems to any political system with more than one level of government (Phillimore, 2013). It focuses not only on formal constitutional allocations of functions but also on fiscal relations, administrative coordination, informal bargaining, institutional power and the behaviour of public officials. In the water sector, these relations may be cooperative, competitive or conflictual, particularly where

mandates, financing and regulatory responsibilities intersect.

A 2021 survey of ministers, agency heads and other senior water-sector officials, reported in the World Bank's 2022 synthesis on water-supply and sanitation policies, institutions and regulation, identified institutional fragmentation as a major impediment to effective water management (World Bank, 2022). Fragmentation can create overlapping mandates, inconsistent rules, information gaps and weak accountability among institutions operating within the same jurisdiction. The World Bank therefore stresses the importance of coherent policy, institutional and regulatory frameworks, including effective intergovernmental coordination, for sustainable water and sanitation services. The reports resonate with the work of Akhmouch (2012) which shows that water governance in Latin America and the Caribbean is frequently characterized by territorial and institutional fragmentation, funding gaps, information asymmetries and coordination challenges across levels of government. Decentralization can improve responsiveness to local conditions, but it can also generate conflict where functional assignments, financing arrangements and river-basin responsibilities are not clearly coordinated. Effective multilevel water governance therefore requires mechanisms that align national policy with subnational implementation and local realities

Intergovernmental conflict over water resources is also evident in federal systems. In the United States, disputes among Georgia, Florida and Alabama over the Apalachicola-Chattahoochee-Flint river basin intensified during drought periods, including the 2007 drought, and generated interstate litigation. Incidences of litigation between governments within the same system are also evident in devolved systems of governance. In Kenya for instance, the Council of Governors sued the national government challenging provisions of the Water Act, 2016 in Constitutional Petition No. 523 of 2016, arguing that sections of the Act were inconsistent with the devolved system and the constitutional allocation of water functions. On 28 February 2025, the High Court dismissed a preliminary objection raised by the National Government and held that the constitutional challenge fell within the Court's jurisdiction. The petition is currently active and pending full hearing at the High Court in Nairobi. These cases illustrate how shared water resources can produce conflict even where governments operate within the same decentralized system and highlights the importance of negotiated, legally clear arrangements for water allocation and management.

Khangale, Madumo and Tshiyoyo (2023) show that South Africa's three-sphere system of cooperative government faces coordination challenges in water-service provision because responsibilities are distributed across national, provincial and local institutions. Their analysis emphasizes that overlapping legislation and institutional mandates can complicate accountability and weaken service delivery where cooperative-government mechanisms are not effectively used. The experience of municipalities such as Sekhukhune demonstrates the

practical effects of weak coordination among provincial, municipal and water-sector institutions. Challenges posed by weak coordination are not unique to developing States, even high-income countries continue to experience inequalities in access to safe water, sanitation and hygiene. Mattos et al. (2021) identify significant knowledge and data gaps affecting populations that remain underserved. Such gaps can weaken policy prioritization and resource allocation where local conditions are not adequately reflected in national or subnational information systems. This underscores the importance of vertical information sharing and coordination in addressing persistent water-service deficits.

Kenya's water sector likewise involves significant intergovernmental interdependence. The Constitution assigns county governments responsibility for water and sanitation services, while the national government retains functions relating to water resources, national policy and national public water works. The Water Act, 2016 created national institutions including the Water Resources Authority (WRA) and Water Works Development Agencies (WWDAs), each with distinct statutory functions. These arrangements have generated disputes about the boundary between national and county mandates. The Council of Governors challenged the constitutionality of several provisions of the Water Act in Constitutional Petition No. 523 of 2016.

Cooperative or concurrent intergovernmental relations arise where governments or public institutions must coordinate decisions while retaining distinct constitutional or statutory interests. Such coordination may involve consultation, negotiation, joint planning and information sharing (Ng'ang'a & Mbataru, 2022; Otieno et al., 2023). In regulatory settings, statutory allocation of authority among agencies can also create checks, balances and the need for inter-agency coordination (Jacobs, 2019). Horizontal coordination in governments is not unique to developing countries alone, it also occurs between governments at the same level in advanced societies. In France, for example, municipalities may use intergovernmental or contractual arrangements to secure water services, including concurrent sourcing involving public and private providers (Parmigiani, 2007; Porcher, 2016; Andrews et al, 2017). Kenya as if borrowing from the French experience, amended the water Act in section 68 to provide for WWDAs consulting County Government before entering into partnership with a private investor. Section 69 of water (Amendment) Act No. 13 of 2024 provides for agreement between WWDAs and county government within whose jurisdiction water works is located. Apparently these amendments appear to Underscore the importance of consultation and coordination between national government entities and the subnational governments in addressing potential disputes between them. Hegga et al. (2020) similarly show that decentralized water governance in Namibia can be undermined where institutional responsibilities are transferred without adequate coordination, capacity or resources. These cases suggest that the effectiveness of

decentralized water governance depends not only on formal allocation of functions but also on the institutional capacity and willingness to cooperate.

In Kenya, Article 186 and the Fourth Schedule of the Constitution distribute functions between the national and county governments, while Article 189 requires cooperation, consultation and reasonable efforts to resolve intergovernmental disputes. County governments are responsible for water and sanitation services, whereas national institutions regulate water resources and develop or manage national public water works in accordance with the Water Act, 2016. The Act transformed water resources management authority (WARMA) to water resources authority (WRA) and created water works development agencies (WWDAs). WRA is a state corporation under the Ministry of water and sanitation responsible for formulating water resources management policies and regulation of water abstraction permits. while WWDAs are State Agencies with the mandate to develop and manage water works in specified regions. The distinction between water-resource management and water-service provision is therefore essential when evaluating alleged overlaps. Effective implementation nonetheless requires close coordination because infrastructure, abstraction, licensing, financing and service delivery are institutionally interdependent (Otieno et al., 2023; Ng'ang'a & Mbataru, 2022).

The transition to devolution created institutional and asset-management challenges in the water sector. Under the Water Act, 2016, WWDAs are responsible for the development, maintenance and management of national public water works and may temporarily operate water works until responsibility is handed over in accordance with the Act. County-owned water-service providers, by contrast, are central to local water-service delivery. The resulting division of responsibilities requires clear arrangements for asset ownership, financing, project handover and accountability. These transition issues have been identified as sources of intergovernmental tension and implementation uncertainty (Kajiado County Government, 2019; CIDP, 2023 – 2027; KIPPR, 2017). These tensions and uncertainty can be demonstrated in the case between council of governors and the national government. The Council of Governors challenged provisions of the Water Act, 2016 in Constitutional Petition No. 523 of 2016, arguing that sections of the Act were inconsistent with the devolved system and the constitutional allocation of water functions. These escalated tensions points to the importance of establishing clear mechanisms of consultation and coordination on matters touching mandates and functions allocated between national entities and sub national governments.

Water-service providers in Kajiado have also faced transition challenges relating to assets, liabilities and institutional responsibilities. Where one level of government controls infrastructure or financing while another is responsible for service delivery, weak coordination can create delays, uncertainty and disputes over maintenance and investment. Such challenges may contribute to infrastructure gaps in Kajiado West Sub-

County, although the causal relationship should be demonstrated with project-level evidence rather than assumed. To this end it is imperative to note that existing literature on intergovernmental relations have extensively identified institutional fragmentation, inconsistent regulations, overlapping mandates, information gaps, funding gaps, intergovernmental conflicts as the major causes of gaps in water infrastructure development in unitary and decentralized systems (World Bank, 2022; Akhmouch, 2012; Mattos et al., 2021; Khangale et al., 2023; Nganga and Mataru, 2022; Hegga et al., 2020; KIPPRA, 2017). However, the authors have not adequately addressed how intergovernmental relations influence water infrastructure development in a devolved system of governance. Particularly they have not demonstrated how relations between national government entities and subnational governments impacts on water service delivery. This therefore points to a gap in research which this study sought to address

Research Findings on Intergovernmental Relations and Water-Infrastructure Development in Kajiado West Sub-County

This section presents field findings on three dimensions of intergovernmental relations in Kajiado West Sub-County: (i) relations between the national and county governments and their perceived effects on water-service delivery; (ii) relations between the County Government of Kajiado and national water institutions operating in the Sub-County; and (iii) relations among national water institutions. Quantitative and qualitative results are presented by theme and then integrated to identify convergence, complementarity and divergence. It begins with presentation of the response rate

Response Rate

The study observed that there were slight variations on the questionnaire responses from respondents ranging between 108 and 120. This was attributed to some respondents providing more than one response while others not responding to some questions. The overall response rate was 61.2% obtained by calculating the average response against the study sample

$\text{Overall response rate} = \text{Average response} / \text{study sample} \times 100 = 115/188 \times 100 = 61.2\%$

Relations between the Two Levels of Government: Causes and Effects on Water Management in Kajiado West Sub-County

Regarding respondents' assessment of relations between the two levels of government in water management, 16.7% described the relations as very poor, 51.7% as poor, 27.5% as fair, 1.7% as good and 2.5% as excellent. These responses are presented in Table 3.1.

Table 3.1: Relations Between the National Government and the County Government of Kajiado in Respect to Water Services Management

Type of Response	No. of Respondents	Percent
Excellent Relations	3	2.5%
Good Relations	2	1.7%
Fair Relations	33	27.5%
Poor Relations	62	51.6%
Very Poor Relations	20	16.7%
Total	120	100%

Source: Field data (2025).

Table 3.1 shows that 68.3% of respondents rated relations between the national government and the County Government of Kajiado as poor or very poor, while only 4.2% rated the relations as good or excellent.

The qualitative findings similarly indicated that many interviewees perceived relations between the two levels of government as strained and characterized by mistrust and disagreement over institutional roles. County officials and local political leaders frequently referred to borehole permitting, infrastructure development and environmental management as areas in which they perceived overlap or inadequate consultation. These perceptions are important evidence of intergovernmental contestation; however, they should be distinguished from the formal legal allocation of functions, because the Water Act assigns water-abstraction permitting to the Water Resources Authority. The interviews therefore demonstrate a coordination and legitimacy problem even where the statutory mandate itself is identifiable.

National-government interviewees also acknowledged that relations were often conflictual, but attributed part of the problem to limited technical capacity in some county governments to manage large or cross-county water works. Rather than treating this position as determinative, the finding points to a broader intergovernmental capacity question: whether national institutions should retain operational roles, provide technical assistance, or strengthen county capacity through structured cooperation and secondment arrangements.

Regarding the perceived causes of these relations, 19 respondents were unsure, 18 identified disputes over jurisdiction, 25 identified overlapping roles, 17 identified delayed disbursement of funds, and 37 identified resource-allocation disputes. The results are presented in Table 3.2.

Table 3.2: Causes of the state of Relations Between the Two Levels of Government

Type of Response	No. of Respondents	Percent
Conflict over Resource Allocation	37	31.9%
Conflict over Delayed Disbursement of Funds	17	14.6%
Conflict over Overlapping Roles	25	21.6%
Conflict over Area of Jurisdiction	18	15.5%
Not Sure	19	16.4%
Total	116	100%

Source: Field data (2025).

Table 3.2 indicates that 83.6% of respondents attributed strained relations to one or more governance factors: resource allocation, delayed disbursement of funds, overlapping roles, or jurisdictional disputes.

Respondents were also asked how relations between the two levels of government affected water-service delivery. Thirty-eight respondents selected 'highly affect', 38 'fairly affect', 26 'affect', 10 'less affect' and three 'not affect'. The distribution is presented in Table 3.3.

Table 3.3: How the Relations Between the National Government and the County Government affect Water-Service Delivery

Type of Response	No. of Respondents	Percent
Highly Affect	38	33.0%
Fairly Affect	38	33.0%
Affect	26	22.7%
Less Affect	10	8.7%
Not Affect	3	2.6%
Total	115	100%

Source: Field data (2025).

Table 3.3 shows that 88.7% of respondents selected one of the three categories indicating that intergovernmental relations affected water-service delivery in Kajiado West Sub-County.

Qualitative interviewees linked strained intergovernmental relations to uneven project planning, weak information sharing and inadequate monitoring of borehole development and water vending. Some interviewees expressed concern that boreholes were concentrated in particular localities and that oversight of water vendors was insufficient. Under the Water Act, WRA is responsible for water-use and abstraction permits, while WASREB regulates licensed water-service providers and enforces license conditions.

National-government interviewees further reported that weak coordination could undermine the sustainability of projects developed by national water institutions. In some

cases, county governments were said to be reluctant to take over projects in whose design or implementation they had not participated. Projects are instead handed to community organizations that lack sufficient technical capacity, maintenance and sustainability may become problematic. This finding reinforces the need for joint project planning and agreed handover arrangements.

Relations between the County Government of Kajiado and National Water Institutions: Causes and Effects on Water Management

Regarding relations between the County Government of Kajiado and national water institutions operating in the Sub-County, 13 respondents described the relations as very poor, 59 as poor, 26 as fair, three as good and seven as excellent. The data are presented in Table 3.4.

Table 3.4: Relations Between County Government of Kajiado and National Water Institutions.

Type of Response	No. of Respondents	Percent
Excellent Relations	7	6.5%
Good Relations	3	2.8%
Fair Relations	26	24.1%
Poor Relations	59	54.6%
Very Poor Relations	13	12.0%
Total	108	100%

Source: Field data (2025).

Table 3.4 shows that 66.6% of respondents rated relations between the County Government of Kajiado and national water institutions as poor or very poor, whereas 9.3% rated them as good or excellent.

Qualitative interviewees similarly described these relations as strained, citing disagreement over operational roles and inadequate coordination. Borehole permitting by WRA and regulation of water-service providers by WASREB were frequently mentioned. However, the legal framework assigns abstraction and water-use permitting to WRA and water-service regulation to WASREB. The findings therefore point to disputes over coordination, implementation and perceived encroachment of functions by the national government. Interviewees also acknowledged that national water institutions undertake dam rehabilitation and other national public-water-works functions within the Sub-County.

Respondents identified several perceived causes of the strained relations: 19.5% were unsure, 24.8% cited conflict over authority, 13.3% cited competition over areas of operation, 20.3% cited conflict over the application of laws, and 22.1% cited overlapping roles. The results are presented in Table 3.5.

Table 3.5: Causes of the Relations Between the County Government of Kajiado and National Government Water Institutions.

Type of Response	No. of Respondents	Percent
Competition for Overlapping Roles	25	22.1%
Conflict over Application of Laws	23	20.3%
Competition for Area of Operation	15	13.3%
Conflict over Authority	28	24.8%
Not Sure	22	19.5%
Total	113	100%

Source: Field data (2025).

Table 3.5 suggests that no single explanation dominated respondents' views. Rather, strained relations were associated with a cluster of institutional factors, including authority, legal interpretation, operational territory and perceived overlap of functions.

Respondents were also asked about the effect of county-national institutional relations on water-service delivery. Of those responded, 2.7% were unsure, 12.8% selected 'least affect', 25.6% 'affect', 27.4% 'greatly affect' and 31.6% 'very greatly affect'. The distribution is presented in Table 3.6.

Table 3.6: Effects of the Relations between the County Government of Kajiado and the National Water Institutions on Water-service delivery.

Type of Response	No. of Respondents	Percent
Very Greatly Affect	37	31.6%
Greatly Affect	32	27.3%
Affect	30	25.6%
Least Affect	15	12.8%
Not Sure	3	2.7%
Total	117	100%

Source: Field data (2025).

Table 3.6 shows that 84.6% of respondents selected 'affect', 'greatly affect' or 'very greatly affect', indicating a strong perception that relations between the County Government and national water institutions adversely influence water-service delivery.

Qualitative findings reinforced this pattern. County officials and local political leaders associated strained relations with poor coordination and inadequate follow-up on projects. Interviewees reported that when WRA approves borehole drilling, county officials may not always be adequately informed or involved in subsequent local monitoring, contributing to concerns about the spatial concentration of boreholes. The finding points to a need for structured data-sharing and joint monitoring of projects.

Officials from WRA and WASREB, in turn, attributed some disputes to county institutions undertaking or claiming roles that national regulators regard as falling within their statutory mandates. This illustrates the mutual blame and contested interpretation that characterize the sector. Under the Water Act, WASREB licenses and regulates water-service providers and enforces license conditions, while county governments have constitutional responsibility for county water and sanitation services. Effective oversight therefore requires clearer coordination between the regulator, county government and licensed providers, including arrangements for water-vending oversight.

Relations among National Water Institutions: Causes and Effects on Water Management in Kajiado West Sub-County

Respondents' assessments of relations among national water institutions were mixed: 26.7% described the relations as poor, 43.7% as fair, 23.2% as good, 2.7% as very good and 3.7% as excellent. The results are presented in Table 3.7.

Table 3.7: Relations Among National Water Institutions

Type of Response	No. of Respondents	Percent
Excellent Relations	4	3.7%
Very Good Relations	3	2.7%
Good Relations	26	23.2%
Fair Relations	49	43.7%
Poor Relations	30	26.7%
Total	112	100%

Source: Field data (2025).

Table 3.7 shows that 70.4% of respondents rated relations among national water institutions as fair or poor, while 29.6% rated them as good, very good or excellent.

Qualitative interviewees also pointed to weak coordination among national water institutions. County interviewees perceived that national agencies often operated independently, while national-government interviewees acknowledged limited information sharing on projects, programmes and operations at county level. A Ministry of Water interviewee stated that national water institutions 'to a large extent operate in an uncoordinated manner when undertaking projects at the counties'. This finding highlights the importance of inter-agency information systems and coordinated planning.

Regarding the causes of relations among national water institutions, 37.4% of respondents were unsure, 17.4% cited competition for resources, 8.7% cited conflict over areas of operation, 19.1% cited conflict over the application of laws, and 17.4% cited overlapping roles. The results are presented in Table 3.8.

Table 3.8: Causes of the relations among national water institutions

Type of Response	No. of Respondents	Percent
Conflict over Overlapping Roles	20	17.4%
Conflict over Application of Laws	22	19.1%
Conflict over Area of Operation	10	8.7%
Competition for Resources	20	17.4%
Not Sure	43	37.4%
Total	115	100%

Source: Field data (2025).

Table 3.8 shows that 37.4% of respondents were unsure about the causes of relations among national water institutions. This relatively high proportion suggests limited public or stakeholder visibility into the mandates and interactions of national water institutions. This may call for enhanced public and stakeholders' engagement by the water institutions when undertaking projects at the counties.

Respondents were also asked how relations among national water institutions affected water-service delivery. Of those responded, 5.1% selected 'not affect', 5.9% 'least affect', 23.7% 'affect', 28.8% 'fairly affect', and 36.4% 'greatly affect'. The results are presented in Table 3.9.

Table 3.9: How Relations Among National Water Institutions affect Water-Service Delivery.

Type of Response	No. of Respondents	Percent
Greatly Affect	43	36.5%
Fairly Affect	34	28.8%
Affect	28	23.7%
Least Affect	7	5.9%
Not Affect	6	5.1%
Total	118	100%

Source: Field data (2025).

Table 3.9 shows that 89% of respondents selected categories indicating that relations among national water institutions affected water-service delivery, while 11.0% selected 'least affect' or 'not affect'.

Qualitative findings similarly suggested that weak information sharing among national water institutions can delay project implementation and create misunderstandings over operations. Such delays can prolong water-service deficits in areas already experiencing supply constraints. The finding supports the case for interoperable information systems, routine inter-agency coordination and clearer project-level accountability.

Areas of Convergence and Divergence between Quantitative and Qualitative Findings

The quantitative and qualitative strands show substantial convergence. Quantitatively, 68.4% of respondents rated relations between the national and county governments as poor or very poor, while 88.6% indicated that these relations affected water-service delivery. Qualitative interviewees likewise described the relationship as characterized by mistrust, contested roles and weak coordination. The two strands therefore reinforce and complement one another, although qualitative evidence largely complemented quantitative results.

The qualitative strand also revealed divergence in explanations for why national institutions retain or perform certain water-sector functions. County interviewees tended to interpret this as political or institutional encroachment, while national-government interviewees emphasized technical capacity and the management of large or cross-county water works. These competing interpretations were not captured fully by the questionnaire results and illustrate the value of the mixed-methods design.

DISCUSSION OF THE IMPLICATIONS OF THE RESEARCH FINDINGS

The discussion examines how the empirical findings relate to existing literature and to the study's theoretical framework, with particular attention to the distribution of authority, resources and administrative responsibility across levels of government.

The finding that relations between national and county actors are strained by disputes over functions, financing and administrative responsibility is broadly consistent with Falleti's sequential theory of decentralization. Falleti (2004) argues that the sequence of administrative, fiscal and political decentralization shapes the resulting balance of intergovernmental power in favour of the national government. This was the sequence adopted at the advent of devolution in Kenya resulting in what the study points to tension between devolved service responsibilities, national regulatory and infrastructure mandates, and the fiscal dependence of counties on intergovernmental transfers. The findings therefore align with Falleti's core argument in sequential theory of decentralization.

The findings also align with research showing that unclear mandates, weak coordination, information asymmetry and resource constraints can undermine decentralized water governance (Akhmouch, 2012; Hegga et al., 2020; Khangale et al., 2023; Otieno et al., 2023; World Bank, 2022). The Kajiado West case adds a local perspective by showing how these institutional tensions are perceived to affect infrastructure planning, borehole development, project handover and water-service delivery.

CONCLUSION AND RECOMMENDATIONS

In summary, the study found that 83.6% respondents identified relations between the national and county governments in the water sector as strained particularly because of disputes over resource allocation, delayed

disbursement, functional boundaries and institutional coordination. These strained relations were found to have adverse consequences for water-service delivery in Kajiado West Sub-County with 88.7% of respondents expressing views in the affirmative. The study further found that relations between the County Government of Kajiado and national water institutions are affected by disagreement over the interpretation and implementation of sector mandates. The conflictual relations according to 84.6% of respondents adversely affected water service delivery. Interviewees raised concerns about borehole development, information sharing, monitoring and water-service regulation.

The paper therefore concludes that weaknesses in intergovernmental coordination under the Water Act, 2016 framework, perceived inadequate local oversight mechanisms and information sharing have been associated with institutional contestation and implementation uncertainty in Kajiado West Sub-County. The paper recommends: (i) clearer operational protocols distinguishing water-resource regulation, national public water works and county water-service functions; (ii) regular joint planning and information-sharing mechanisms under Article 189 of the Constitution and the Intergovernmental Relations Act; (iii) coordinated monitoring of borehole development and water-service providers; (iv) transparent project handover and asset-management arrangements; and (v) a joint county-national water coordination committee that includes relevant national institutions, county agencies, licensed service providers and community representatives to manage water resources in the County

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