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Political Patronage and Legislative Oversight Accountability of the Kenyan Senate: Influence on Devolution from 2013 to 2026

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ABSTRACT

Kenya's devolved system of governance is constitutionally significant but remains politically contested. Grounded in Institutional Theory, this desk study examined how political patronage shaped the Kenyan Senate's legislative and oversight accountability functions from 2013 to 2026. Methodologically, the study employed an AI-assisted qualitative content-analysis approach, using ChatGPT Codex alongside the Senate Bill Tracker to support data coding and thematic categorisation; the researcher retained final interpretation validation and analytical decisions. The findings indicate that pervasive political patronage, chronic underfunding, and institutional weaknesses constrained the Senate's oversight capacity and institutional independence, thereby undermining effective accountability within Kenya's devolved system. The study further identifies political affiliations, monetisation of politics, presidential influence, weak enforcement mechanisms, and impediments to devolution as significant institutional constraints. To address these bottlenecks and safeguard legislative autonomy, the study recommends structural reforms to reduce political patronage, institutionalise stronger ethical leadership standards, legally secure predictable independent county financing, strengthen oversight mechanisms, and deepen intergovernmental and stakeholder collaboration.

Keywords: Devolution; legislative oversight accountability; political patronage

1.0 Introduction

Institutional changes in Kenya are historical and contribute to the legislature's democratisation. According to Akech (2015), multidimensional changes that may transform the legislature have yet to be achieved. Moreover, Kalaitzaki (2025) argues that a legislature should champion and protect human rights under constitutionalism. Kalaitzaki avers that if a legislature loses its function, it loses its essence and existence, retrogressively affecting a country's democratisation. Furthermore, the legislature should be involved in decision-making and constitutionally mandated to oversee governance operations. Moreover, according to Mak'Ouya (2024), despite Kenya's constitution being considered robust, the division of powers among the arms of government remains ideological, requiring a multifaceted approach to attain the spirit and aims of promulgating the Kenyan constitution.

Kenya's devolution prospects are encouraging, and according to Muwonge et al. (2022), county governments' progressiveness and accountability to citizens are impressive. Hence, to ensure the continued resilience of constitutionalism, collaboration between national and county governments, as stipulated by the Constitution of Kenya 2010, is key. Moreover, Article 96 of the Constitution of Kenya 2010 authorises the establishment of the Senate, whose role is to represent the interests of Counties and the citizenry, and it is imperative to respect this Constitutional mandate. This means that, given the Senate's role is already enshrined in the Constitution, any legislative amendment in the bicameral parliament without its input should be reconsidered (Kemboi, 2022; Muwonge et al., 2022). Furthermore, Omweri (2024) observes that governance issues in Kenya are historically embedded and that, although multipartyism in 1991 was considered a significant step in democratisation, it did not promptly address these governance issues.

Similarly, Allio (2007) argues that, in the digital era, poor leadership is evident in both the public and private sectors. The primary perpetrators of bad governance are followers who choose leaders with questionable competencies, exhibiting depersonalised traits detached from reality. Accordingly, followers endure misgovernance, and they are solely to blame. However, Allio observes that adherence to ethical guidelines, open communication, accountability, and stakeholder involvement can improve leadership standards and enable leaders to perform their tasks as envisaged. Besides, Cheeseman et al. (2024) observe that in Kenya, since the 2002 election, key governance institutions have regressed; opposition voice is feeble; executive influences the legislature; and civil institutions and the media have been inarticulate for a decade. Furthermore, political parties rely on patronage. Thus, Kenya requires sustained efforts to safeguard and expand political gains for posterity. Relatedly, Huberts et al. (2022) affirm that political ethical breaches by politicians are pertinent yet unexplored in the conjoined domains of probity and deceit in public governance. Moreover, Nyawa (2020) contends that Kenya's devolution was implemented to eliminate highhandedness in government, decentralise power for citizens' benefit and to deter authoritarianism or abuse of authority by specifying checks and balances.

Existing literature addresses Kenya's patronage culture (Cheeseman et al., 2024), devolution theoretical objectives (Nyawa, 2020) and abstract ethics of governance (Allio, 2007; Huberts et al., 2022) but fails to examine how political patronage has specifically diluted the legislative oversight and accountability of the Kenyan Senate regarding devolution across its first thirteen years of operation (2013-2026). The Kenya 2010 Constitution was promulgated on 27th August, 2020 and the first Senate election under the new constitution was conducted in 2013 (Kaguongo, 2018; Murray, 2013). Thus, this study explored political patronage and oversight accountability in Kenyan Senate legislation from the Senate inauguration following the 2013 elections to the present day. The study entailed three specific objectives: foremost, analysis of how political patronage impacts the accountability of the Kenyan Senate within the devolution period 2013 to 2026; secondly, assessment of how accountable the Kenyan Senate has been in its legislative oversight within the devolution period, 2013 to 2026; and thirdly, evaluation of how devolution in Kenya has progressed from 2013 to 2026.

2.0 Theoretical literature review

2.1 Institutional Theory

According to Lammers et al. (2014), mutual affinity in institutional undertakings, rationally embedded within their domains, coupled with externalities, social interconnectedness, representation, and conceptions, is important in institutional discourse. Lammers et al. highlight that conventional wisdom, interconnectedness, and institutional settings, rationales, and activities collectively shape institutional discourse. However, the authors emphasise that fully grounding institutional theory requires comprehensive assessment of distinct institutional configurations and constraints. Furthermore, Mahmud (2017) suggests that Institutional Theory is pivotal in government institutions' policymaking processes. Moreover, stakeholder engagement and involvement are critical at every level in framing institutional objectives, as each institution has distinct pathways for issue-oriented decision-making. Nonetheless, collective decision-making is critical in solving institutional issues, i.e., those rooted in formal politics and legislation. Furthermore, collective decision-making is systematic and provides resolutions, especially for political needs, unlike individual decision-making.

Overall, the findings align with Institutional Theory because, despite political contestation, Kenya's devolution model is constitutionally significant. Moreover, political patronage acts as a powerful informal institution that subverts the Senate's formal constitutional mandate by shifting senators' loyalty from legislative oversight to political patrons; the Senate is restricted to a self-regulating cycle of structural marginalisation, systematically eroding its independence over time; the Senate's independence is in limbo owing to executive interference in its operations; and the Senate merely maintains its symbolic representation in oversight while its practical capacity to safeguard democratisation and socioeconomic development objectives of devolution is void. These align with Mahmud (2017): Institutional Theory is pivotal in the comprehensive policy-making process, especially in the interplay of governance and institutions. Moreover, Lammers et al. (2014) highlight that institutional objectives should be mutually aligned and rationally embedded within their domains, coupled with externalities, social interconnectedness, representation, and conceptions, which are integral to institutional undertakings.

2.2 Empirical literature review

2.2.1 Political patronage and accountability by the Kenyan Senate from 2013 to 2026

The disputes between the Senate and Parliament in Kenya are not merely grounded in constitutional vagueness but are also historically rooted in Executive dominance, unitary administration, and patronage within a traditional presidential-influence parliamentary system. According to Otele (2026), despite devolution and the two-tier parliamentary system being meant to decentralise governance and separate legislative powers, the Executive has persisted in controlling Parliament's legislative agenda by expressly and implicitly interfering with the Senate's mandate to safeguard county governments. These disputes often arise during debates on revenue sharing and bills involving money allocations, rooted in constitutional vagueness and through actions such as tampering with bills, patronising governance and the Executive influencing parliamentary leadership. The study highlights that the presidency has continued to interfere with the Senate's operations, notwithstanding Constitutional provisions on the division of powers and the roles and boundaries of constitutional institutions.

According to Kanyinga & Mboya (2021), Kenyan politics is embedded in monetary and political affiliations. Kanyinga and Mboya observe that those elected at all levels tend to finance their electioneering heavily, and losing an elective position entails multidimensional challenges, such as a decline in the performance of family-owned entities, especially when these entities are used to finance these elections. Equally, political parties determine who wins in their strongholds, and an incumbent's win does not warrant financial relief; rather, it demands continuous spending to preserve their political office. Moreover, political patronage affects transparent representation in this electioneering process, enticing elected leaders into corrupt practices. The study highlights that political affiliations and money politics detrimentally influence elective politics in Kenya.

The implementation of devolution in Kenya vide the 2010 Constitution is progressive; however, politically based patronage in development is regressive. According to Kanyinga (2016), devolution will be beneficial if it tackles gender disparities, ethnicity, inclusivity and the delivery of public services. Since devolution commenced in 2013, communities have not solicited development from the national government as before. However, this has not reduced inequitable resource sharing in some regions, which still appeal to the presidency's intervention. In Kenya, before devolution, the presidency politically influenced the national distribution of government resources; devolution has made revenue sharing a right for all regions. Moreover, county governments are independently involved in governance through participatory mechanisms in development projects within their jurisdictions. Moreover, citizens' involvement in governance through public participation in decision-making will improve integrity and prevent the national government's political

patronage from being replicated at the county level. Kanyinga's research explains how political patronage, gender misrepresentation and unfair national resource distribution harm devolution and development in Kenya.

Successive Kenyan presidents, irrespective of party affiliations or backgrounds, have consistently used state power to constrain democratic consolidation. According to Gichohi & Arriola (2023), these presidents have influenced the legislature and judiciary to sustain their executive authority. The authors observe that civil society institutions in Kenya and opposition political parties have not intervened through legal mechanisms because of their vested interests during the democratisation process. Moreover, the presidency has used its executive powers to discredit criticism, terming it political meddling. However, civil bodies opposing political parties can use evidence of abuse of power and paralysis to advocate for global pressure and sanctions on Kenyan presidents. However, the impact of such an approach depends on collaboration between civil bodies and opposition parties, notwithstanding their relational issues once opposition parties are in authority. Thus, continued non-collaboration of opposition political parties and civil society institutions impedes democratisation in Kenya. The research underscores the presidency's undue influence on political democratisation processes in Kenya through interference with constitutional institutions' operations and accountability.

Kenya's presidential system of governance is characterised by division of powers among the National Assembly, the Executive and the Senate. These governance approaches, as embedded in the 2010 Constitution, are intended to curb the previous Executive's authoritarianism over the legislature. Whereas the Senate plays a critical role alongside the Executive and the National Assembly, its legislative vagueness has led the National Assembly and the Executive to circumvent it. Notably, many National Assembly members were formerly members of a one-chamber house before the 2013 general election. Moreover, the president and the deputy president were also legislators of the former parliament under the old Constitution. However, the Executive and the National Assembly may view the Senate as a nuisance. Notwithstanding, the judiciary intervenes to assert the Senate's role. (Bosire, 2016). Bosire's study shows the importance of the division of power among constitutional bodies and respect for the Senate's role as envisioned in the 2010 Kenyan Constitution.

According to Nyagaka (2025), political accords in Kenya have not served as mechanisms for national integration but rather as underhanded tactics to benefit political leaders and advance their political and financial interests. These political accords facilitate cooperation between opposing parties, resulting in appointments to government positions, thus enabling appointees to support the government of the day. In Kenya, a culture of political accords influences political transitions across post-colonial Kenya, and, according to the scholar, this culture may endure, given the high-stakes electioneering. Moreover, Nyaburi et al. (2020) posit that Kenya has made enormous strides in devolution through the 2010 Constitution, the country's anchor, and its full implementation will be critical. Hence, stakeholders' collaboration and the government's embrace of bipartisanship in implementing and enforcing regulations without prejudice are critical. The synthesis of Nyagaka and Nyaburi et al.'s studies reiterates the essence of political accords in Kenya for inclusivity and collaboration in politics and legislation.

Elective dictatorship in Kenya has not been vanquished but has resurfaced through political policies that suppress the independence of the bicameral parliament in legislation. The progressive nature of the Kenyan constitution and legislation requires multisectoral involvement in legislation, oversight of the Executive arm of government and attention to citizens' needs. This calls for effective leadership of the legislative agenda for prosperity (Onyango, 2021). Moreover, Wambugu et al. (2025), in their critical review of the deliberations of the impeachment proceedings of Kenya's second Deputy President under the 2010 Constitution, depict a process conducted in a setting of legislators in support and opposition, characterised by disrespectful verbal discrediting of opponents. The Senators depicted the Deputy President as dishonest, ethnic and unsuitable for public office, based on unfounded evidence and political patronage to uphold the impeachment of the Deputy President. Onyango and Wambugu's synthesis shows that elective dictatorship exists across Kenya's bicameral parliaments, as reflected through the impeachment of Kenya's second Deputy President under the 2010 Constitution.

2.2.2 Legislative oversight and accountability by the Kenyan Senate from 2013 to 2026

Kenya's constitutional journey for the 2010 Constitution was grounded in public involvement in the legislative processes. The new dispensation requires people-centric governance, unlike previous authoritarian structures. Devolution requires appropriate constitutional bodies and institutions, since citizens are not expressly involved in its implementation(Mukuna & Mbao, 2014). Furthermore, according to Otieno (2024), the 2010 Kenyan Constitution, through Article 1, champions ethical governance and gives citizens mandates to achieve this through political and constitutional means. The Constitutional Leadership and Integrity Act highlights the importance of altruistic and people-centred virtues. Moreover, Chapter 73 details the need for trustworthiness in delivering public service without conflict of interest, integrity in decision-making processes and discipline and dedication in service delivery to the public. Otieno notes that Constitutional provisions on Leadership and integrity have not been fully implemented, and citizens have not been keen on electing ethical leaders. Additionally, Maina (2020) states that Kenya's constitution spells out the political and governance structures and how they function, highlighting the scope of accountability to the citizenry, the arms of government, oversight issues, and devolution, and how they complement one another. These studies highlight the integral role of people-centric governance, in line with the constitutional provisions of the Leadership and Integrity Act and in conformity with devolution.

In Kenya, political integrity is pivotal to public governance, championing accountability, openness, efficacy, and integrity. According to Kithinji (2026), implementing accountability in governance may enable governments to ensure transparent resource management, eradicate corruption and advance a tradition of probity. Distinctively, in a parliamentary democracy, legislators act as protagonists while the government acts as an antagonist. This advances the delegation of decision-making functions to legislators, coupled with the electoral accountability conferred by bicameral parliaments. Notwithstanding, governance structures in Kenya are intricate and require political integrity and recognition of the court system as an avenue for impartiality and precedent

in confronting corruption. Thus, the research highlights how political integrity embedded in accountability and transparency is paramount in Kenya, especially in the fight against corruption.

Additionally, Kwenjera (2023) argues that Kenyan laws, including the Constitutional Leadership and Integrity Act, should be aligned, and violations should stipulate specific awards and forfeiture. Furthermore, the author suggests that the judiciary should empower anti-corruption courts with adequate resources and ensure their independence through legal insulation, decentralising their operations and deploying adequate magistrates and judges. Additionally, the apex court should arbitrate on the implementation of leadership and integrity, an integral anchor as envisioned by the makers of Kenya's 2010 Constitution, and its resolution is long overdue. Kwenjera's research highlights the need to nurture the Constitutional ideals of leadership and integrity, with interpretation by the apex courts being fundamental.

According to Opongo (2022), despite Kenya's robust progress in devolution, accountability and political transparency challenges persist. Devolution progress should go hand in hand with economic development to improve people's living standards. Moreover, Opongo notes that for a country to achieve productive economic growth, democratisation should be embedded to improve people's standards of living and guarantee sustainable tranquillity. Furthermore, achieving economic growth requires the political class to respect the law, ensure socioeconomic transparency, and safeguard constitutional and human rights. Therefore, economic growth is dependent on inclusiveness. This study by Opongo highlights the critical role of political integrity in economic development, integrated with the safeguarding of constitutional and human rights.

The Kenyan Senate is integral to devolution, notwithstanding gaps in legislation on adequate representation and disparities in oversight. The Constitution of Kenya 2010 established a bicameral parliament composed of the Senate and National Assembly. The Senate, which derives its representation across the Counties, is mandated to oversee County Governments through legislation to safeguard and champion the interests of Counties and their respective governments nationally. Thus, the Senate safeguards and champions the interests of County governments through legislation, oversight and representation (Kachu, 2019). Furthermore, according to Mukaindo (2014), there is a possibility to leverage cordial and collaborative constitutional engagement between the Senate and County Governments in Kenya, and to uphold the Senate's constitutional mandate, Senators should engage with County Governments to deliberate and act on their issues through consolidated opinions and perspectives in a legal manner. Moreover, this engagement should be within the constitutional framework of devolution, which anchors the collaboration between the two institutions. Mukaindo further notes that Senators have vital roles with respect to County Governments, but not including executive functions. The studies depict the importance of devolution; the Senate's role in safeguarding the interests of County governments; the Senate's legislative mandate; and the need for collaboration between the Senate and County governments on constitutional matters and for constitutionalism.

The Kenyan appellate courts act as a shield for the Senate's legislative enactments, integral to the checks and balances of the National Assembly and the Senate's legislative processes. The appellate courts' interventions in constitutionalism are critical in realigning the previous partisan political patronage system. Moreover, judicial mediation ensures that Senate and National Assembly legislation meets constitutional thresholds. This ensures that the Senate is not rendered redundant, as it is an active participant in legislation. Hence, the appellate courts arbitrate the constitutional-making process and offer checks and balances between the National Assembly and the Senate. Thus, the bicameral houses need inter-committee meetings to resolve conflicts and make judicial interventions as a recourse (Ochieng, 2021). This research showcases how appellate courts are instrumental in the legislative processes of the Kenyan Senate, highlighting their role notwithstanding their interconnectedness with the National Parliament in legislation.

2.2.3 Devolution progress in Kenya from 2013 to 2026

According to Murray (2013), Kenya's 2010 Constitution is a progressive document which has transformed autocratic viewpoints and the powers of previously authoritarian regimes through delegated and collaborative power-sharing, especially through constitutional institutions. The Judiciary may be careful or challenging in its rulings; the Executive may honour or disobey court rulings; the Senate and National Assembly may fulfil their legislative and oversight roles emphatically, or legislators of the bicameral parliament may act in a self-seeking manner; the County Governments may ground their undertakings or be subordinate to the National Government. Therefore, institutional independence is critical in achieving devolution through decentralisation of powers from the National to County Governments. Additionally, Ntara (2013) notes that the Kenyan Constitution highlights devolution's role in socioeconomic development and stipulates the functions, mandates and accountability of independent institutions. Retrospectively, devolution has enabled county governments to implement their agenda through inclusivity embedded in public participation. Deconcentration of authority in Kenya was historically embedded in a unitary governance system, which was regressive to democratic values. The two studies highlight the critical role of devolution, decentralisation of powers, the importance of institutional independence of constitutional bodies, and devolution as an accelerator of socioeconomic development and inclusivity through public participation in decision-making.

Devolution in Kenya has considerably improved governance and public service delivery since its promulgation in 2013. According to Kate (2023), devolution has decentralised powers and resources and enhanced public participation, resulting in inclusivity in county governments' undertakings. Kate observes that governance transformation and revenue sharing have improved the provision of basic public services such as education, Medicare, and infrastructure, as county governments have been empowered to tackle community issues. Moreover, it is pertinent to improve county employees' skills and competencies and embed integrity in devolution processes. Thus, counties should implement mechanisms to monitor and review expenditures and the provision of public services. Furthermore, community-based institutions should actively be involved in activities and resource mobilisation for citizens' benefit. Ultimately, the national government should intensify auditing oversight of counties to embed integrity. The study reiterates devolution's essential role in decentralisation in improving service provision at local levels in Kenya.

Devolution in Kenya has transformed resource sharing, advancing decentralisation of power from national to county governments, empowering the latter to exercise independent governance through public participation for inclusivity and to lessen impoverishment and marginalisation. According to Nyandemo (2022), despite this, devolution faces several hurdles, such as disputes between the national and county governments on revenue allocations and delayed capitation from the National Treasury, duplication of functions between the two levels of government, incompetence, embezzlement of public funds, lack of public participation in governance and gender disparities, among other hurdles. Nyandemo observes that despite these hurdles, devolution has reshaped political mindsets on revenue sharing and embedded a culture of inclusivity in Kenya.

The proposal to grant the president an influential role undermines the 2010 Kenyan Constitution's aspirations and undermines democratisation. According to Ochieng (2023), this proposed review is unconstitutional and regressive. It undermines the bicameral parliament's legislative independence as envisioned by Article 94 of the 2010 Kenyan Constitution. Moreover, executive legislative interference occurs through presidential directives and programs contrary to the Constitution, which regulates presidential powers. Furthermore, Kamaru et al. (2018) highlight the deliberate constitutional enfeeblement of Kenyan constitutional institutions, especially the judiciary, the bicameral parliament, and the Cabinet, as autocratic measures impeding devolution. This practice may regenerate and become a catalyst for political instability, as witnessed in Kenya's 2007/2008 post-election violence. The two studies highlight that presidential interference in constitutional institutions, especially the bicameral parliament, runs counter to the spirit of devolution in Kenya.

Moreover, Cheeseman et al. (2016) argue that prudent county governance can safeguard constitutionalism and citizens' confidence; devolution is embedded in Kenya and that decentralisation of power is a reality. Notwithstanding, the government continues to impede the operationalisation of devolution in County Governments by curtailing their funding. For instance, the Jubilee coalition that governed between 2013 and 2022 sabotaged devolution, fomenting perpetual discord in County Governments. This is despite the executive arm of government's continued curtailment of County Governments; the latter need to resist and reclaim their autonomy. Based on Cheeseman et al.'s study highlights that underfunding of County Governments is detrimental to devolution in Kenya.

The Constitution of Kenya allocates and specifies its execution by the national government and county governments. Constitutional institutions are integral in supporting devolution implementation; however, their functions are often undermined. Furthermore, inadequate funding by the National Government to County Governments impedes devolution. Retrospectively, devolution in Kenya, since 2013, has been progressive; however, the Executive's authoritarianism impedes the spirit of the Constitution (Ngigi & Busolo, 2019). Furthermore, Ronoh et al. (2018) highlight that in Kenya, public participation is integral to devolution, even though in its implementation key issues emerge, including: pessimism; a lack of readiness; a lack of political commitment; a lack of know-how in its discussions; a lack of participatory competence capacities; shortage of designated participatory venues; political affiliations and meddling affect the standards of participation; incentivisation; timeliness in citizen engagement; the language to be used during discussions; short notice to citizens on public participation engagements and insufficient time to review the development programs or projections. The study indicates that devolution in Kenya has been progressive; coupled with public participation as an essential element of constitutionalism, it has led to emerging issues.

According to Mutinda & Mbataru (2020), retaining provincial administration hierarchies in the Kenyan Constitution shows how the formerly unitary government is institutionalised and metamorphosing through a common intent, characterisation and governance. Moreover, it is imperative to reorganise all government administrative hierarchies in consonance with the National Government Coordination Act, 2013, to improve and reduce bureaucratic processes that devolution was meant to reduce. Retrospectively, emerging retrogressive issues include the national government's unwillingness to devolve functions to county governments. Furthermore, Gathii & Otieno (2018) note that devolution stipulates the sharing of powers, unlike the provincial administration's bureaucratic, dictatorial, corrupt, and highhanded tendencies. Introspectively, under devolution, a revamped provincial administration can champion national cohesion through inclusivity and accountability. This can be achieved through institutionalised frameworks with clear mandates of the national and county governments in line with the Intergovernmental Relations Act, 2012, which moderates relations between the two-tier governments. Since Kenya's devolution commenced, the national government still controls the provincial administration system, and County Commissioners still superintend counties across Kenya. Notably, the two studies highlight that despite the requirement to devolve administrative powers to county governments, the government still utilises provincial administration cadres to steward counties.

According to D'Arcy & Cornell (2016), devolution has not eliminated favouritism and tribal patronage in Kenyan politics, but has reconfigured public resource-sharing. Moreover, as devolution gains pace, practices of favouritism and tribal patronage have emerged across county governments. Thus, devolution has led to ingrained corrupt practices in counties, against its aim of inculcating integrity. The authors observe that devolution in Kenya has not transformed politics even though citizens have closer access to services. Overall, devolution implementation across countries has been characterised by local issues that affect its operationalisation and politicisation, and in Kenya, political patronage, as observed, shapes prospects and retrospection. Additionally, according to Wesonga et al. (2025), devolution in Kenya has, in some ways, influenced youth joblessness, depending on how county governments adequately manage resources and formulate employment policies. Meanwhile, devolution may create opportunities for tailored, local job solutions; inefficient management can inadvertently increase joblessness. However, devolution's success depends on integrated governance, inclusivity, and equitable revenue distribution to align with market needs and attainment of key policy objectives. The two studies illustrate that despite its benefits, Kenya's devolution can be used retrogressively, especially to hinder inclusivity and job creation.

2.3 Summary of secondary data review

Table 1: Summary of secondary data review

Author	Research title	Methodology	Findings	Gaps in research	Research focus
Study objective 1: Political patronage and accountability by the Kenyan Senate from 2013 to 2026					
(Bosire, 2016)	The legislative interlinks in the bicameral parliaments and relations with the Executive	Comparative analysis	Kenya's presidential system of governance expects division of powers among the National Assembly, the Executive and the Senate.	Division of power among constitutional institutions coupled with the Senate's independence in Kenya.	Analysis of political patronage and accountability of the Kenyan Senate from 2013 to 2026
(Kanyinga, 2016)	Devolution and developmental politics in Kenya	Qualitative research	Kenya's constitutional implementation of devolution is progressive; however, politically based patronage in development is regressive.	Political patronage, gender misrepresentation and unfair national resource distribution harm devolution and development in Kenya.	Analysis of political patronage and accountability of the Kenyan Senate from 2013 to 2026
(Nyaburi et al., 2020)	Transformation of Kenyan political systems and issues on democratisation	Discourse analysis	In Kenya, collaboration among diverse stakeholders is key, and the government should embrace bipartisanship in implementing regulations without prejudice.	Collaboration and non-favourable implementation and enforcement of legislation by the Kenyan government is beneficial.	Analysis of political patronage and accountability of the Kenyan Senate from 2013 to 2026
(Kanyinga & Mboya, 2021)	The cost of politics in Kenya and its implications for political involvement and progression	Mixed-methods study	Kenyan politics is embedded in monetary and political affiliations	Political affiliations and money politics detrimentally influence elective politics in Kenya.	Analysis of political patronage and accountability of the Kenyan Senate from 2013 to 2026
(Onyango, 2021)	Policy legislation in Kenya	Critical review	Elective dictatorship is embedded in political policies that hinder the bicameral parliament's legislative independence.	Effective leadership of Kenya's progressive agenda requires multisectoral collaboration, strong Executive oversight, and responsiveness to citizens' needs.	Analysis of political patronage and accountability of the Kenyan Senate from 2013 to 2026
(Gichohi & Arriola, 2023)	Government dominance in constitutional pacts	Historical analysis	Successive Kenyan presidents, irrespective of party affiliations or backgrounds, have consistently used state power to constrain democratic consolidation.	The presidency's undue influence on political democratisation processes in Kenya through interference with constitutional institutions' operations and accountability.	Analysis of political patronage and accountability of the Kenyan Senate from 2013 to 2026

Author	Research title	Methodology	Findings	Gaps in research	Research focus
(Nyagaka, 2025)	The politics of political accords in post-independence Kenya	Historical analysis	Political accords in Kenya are underhanded tactics to benefit political leaders and advance their political and financial interests.	Political accords influence politics in Kenya.	Analysis of political patronage and accountability of the Kenyan Senate from 2013 to 2026
(Otele et al., 2026)	Political electioneering financing and reforms in Kenya	Delphi methodology	Ever-emerging disputes between Kenya's Senate and National Assembly emerge from constitutional ambiguity and the historical legacy of Executive dominance, centralised authority, and political patronage.	Despite constitutional boundaries, Kenya's presidency continues to interfere with the Senate's operations and undermine the institutional division of powers.	Analysis of political patronage and accountability of the Kenyan Senate from 2013 to 2026
Study objective 2: Legislative oversight and accountability by the Kenyan Senate from 2013 to 2026					
(Mukaindo, 2014)	Issues on the implementation of devolution in Kenya and the interlink between the Senate and the County Governments	Critical analysis	Cordial and collaborative constitutional engagement between the Senate and County Governments in Kenya is essential.	Constitutional collaboration between the Senate and County Governments in Kenya is essential.	Assessment of legislative oversight and accountability of the Kenyan Senate from 2013 to 2026
(Mukuna & Mbao, 2014)	Stakeholders' involvement in devolution legislation in Kenya	Meta study	Kenya's constitutional journey leading to the inauguration of the 2010 Constitution was grounded in public involvement in the legislative processes.	Since citizens cannot directly enforce devolution, relevant state institutions must handle constitutional legislation to ensure Kenya's new, people-focused system actually works.	Assessment of legislative oversight and accountability of the Kenyan Senate from 2013 to 2026
(Kachu, 2019)	The influence of Kenya's Senate on democratisation between 2014 and 2017	Descriptive study	The Kenyan Senate is integral to the prosperity of devolution; however, gaps in legislation on adequate representation and disparities in oversight.	Kenyan Senate's lacuna on oversight and equitable representation	Assessment of legislative oversight and accountability of the Kenyan Senate from 2013 to 2026
Author	**Research title**	**Methodology**	**Findings**	**Gaps in research**	**Research focus**
(Maina, 2020)	The degeneration of electoral transparency and accountability	Historical review	Kenya's constitution spells out the political and governance structures and how they function.	Kenya's modern governance relies on a multifaceted approach: devolution, citizens, the three arms of government and oversight mechanisms complement one another to sustain democracy.	Assessment of legislative oversight and accountability of the Kenyan Senate from 2013 to 2026

Author	Research title	Methodology	Findings	Gaps in research	Research focus
(Ochieng, 2021)	Safeguarding the legislative agenda of the bicameral parliament in Kenya and appellate court interventions	Investigative review	The appellate courts in Kenya shield the Senate's legislative	Appellate courts are pivotal in resolving constitutional deadlocks, protecting the Senate's mandate, and clarifying how the Senate and National Assembly must work together in legislation.	Assessment of legislative oversight and accountability of the Kenyan Senate from 2013 to 2026
(Opongo, 2022)	The review of social transformation through the lens of democratisation, public participation and peace initiatives in Kenya	Cross-sectional study	Devolution in Kenya still faces accountability and political transparency challenges despite its robustness.	Political integrity and constitutional order are integral to economic development, corruption prevention and building public trust.	Assessment of legislative oversight and accountability of the Kenyan Senate from 2013 to 2026
(Kwenjera, 2023)	Leadership and Integrity as the fortresses of constitutionalism in Kenya	Theoretical legal research	Kenyan laws need to be embedded within the Constitutional provisions on Leadership and integrity.	Nurturing Kenya's constitutional ideals of leadership and integrity requires arbitration by the country's apex court.	Assessment of legislative oversight and accountability of the Kenyan Senate from 2013 to 2026
(Otieno, 2024)	Improvement of good governance in Kenya through citizen involvement	Research synthesis from 2014 to 2024	Kenya's 2010 Constitution, through Article 1, champions ethical governance and citizens' participation through political and constitutional means.	The Leadership and Integrity Act in the Kenyan Constitution remains unfulfilled because of weak institutional enforcement and voters' tendency to elect unethical leaders.	Assessment of legislative oversight and accountability of the Kenyan Senate from 2013 to 2026
(Kithinji, 2026)	Political accountability and legislation in Kenya	Descriptive statistics	Political accountability significantly influences governance in Kenya	Embedding political integrity within accountability and transparency is critical in the fight against corruption	Assessment of legislative oversight and accountability of the Kenyan Senate from 2013 to 2026
Study objective 3: Devolution progress in Kenya from 2013 to 2026					
(Murray, 2013)	The Kenya 2010 Constitution	Analytical review	The Kenyan Constitution is a progressive document that has transformed autocratic viewpoints and the powers of previously authoritarian regimes.	It is imperative for delegated and collaborative power-sharing among constitutional institutions.	Evaluation of devolution progress in Kenya from 2013 to 2026

Author	Research title	Methodology	Findings	Gaps in research	Research focus
(Ntara, 2013)	The impact of devolution in Kenya	Commentary	Kenyan Constitution establishes devolution as a driver for socioeconomic development while requiring independent institutions to maintain strict accountability within their defined mandates.	Governance transformation in Kenya, from a unitary to a devolved system, has decentralised powers to county governments to drive development inclusively.	Evaluation of devolution progress in Kenya from 2013 to 2026
(Cheeseman et al., 2016)	Decentralisation of governance in Counties through Governors in Kenya	Critical review	The government of Kenya continues to impede the operationalisation of devolution in County Governments by curtailing their funding.	The financial underfunding of county governments directly cripples the primary objectives of devolution by severely stalling localised service delivery and undermining regional economic development	Evaluation of devolution progress in Kenya from 2013 to 2026
(D'Arcy & Cornell, 2016)	Devolution and corruption in Kenya	Historical review	Devolution has not eliminated favouritism and tribal patronage in Kenyan politics, but has reconfigured public resource-sharing	Globally, local operational challenges, politicisation, and entrenched patronage networks shape devolution implementation and influence successes and failures of decentralised governance.	Evaluation of devolution progress in Kenya from 2013 to 2026
(Gathii & Otieno, 2018)	Kenya's model of devolution	Qualitative study	Devolution establishes a system of shared power to deliberately dismantle the bureaucratic, dictatorial, corrupt, and heavy-handed tendencies of Kenya's historical provincial administration.	Under devolution, a restructured provincial administration can foster national cohesion by operating through institutionalised frameworks and clear mandates defined by the Intergovernmental Relations Act, 2012	Evaluation of devolution progress in Kenya from 2013 to 2026
(Kamaru et al., 2018)	The jigsaw puzzle in the legislature, gender inclusivity and constitutionalism in Kenya	Critical review	Kenyan government's deliberate weakening of constitutional institutions highlights an autocriticism of the spirit of devolution.	If left unaddressed, institutional regression and lawlessness risk triggering severe political instability, reminiscent of Kenya's 2007/2008 post-election violence, underscoring the urgent need to maintain the rule of law to protect all citizens, particularly women	Evaluation of devolution progress in Kenya from 2013 to 2026

Author	Research title	Methodology	Findings	Gaps in research	Research focus
(Ronoh et al., 2018)	Issues in the incorporation of public participation in devolved governance and sustainability in Kenya	Cross-sectional research	Public participation is integral to devolution, despite pertinent issues.	Public participation in Kenya is crippled by citizen pessimism, weak political goodwill, severe structural and logistical deficits, language barriers, and rushed timelines that deny the public sufficient time to review development programs.	Evaluation of devolution progress in Kenya from 2013 to 2026
(Ngigi & Busolo, 2019)	The intricacies of devolution in Kenya	Literature survey	The Constitution of Kenya allocates and specifies its execution by the national government and county governments.	While devolution in Kenya has progressed since its launch in 2013, persistent Executive authoritarianism continues to impede the Constitution's democratic spirit.	Evaluation of devolution progress in Kenya from 2013 to 2026
(Mutinda & Mbataru, 2020)	The impact of devolution on the transformation of Provincial Administration in Kenya	Case study	It is imperative to reorganise all government administrative hierarchies in line with the National Government Coordination Act, 2013.	Kenyan government's unwillingness to devolve fully designated functions to county governments in line with the National Government Coordination Act, 2013.	Evaluation of devolution progress in Kenya from 2013 to 2026
(Nyandemo, 2022)	The issues and potential of devolution in Kenya for socioeconomic development	Critical analysis	Devolution in Kenya has decentralised power and resources to county governments, empowering them to foster inclusive, independent governance through public participation while reducing poverty and marginalisation.	Kenya's devolution is severely hindered by intergovernmental disputes, delayed Treasury disbursements, duplicated functions, financial misappropriation, bureaucratic incompetence, weak public participation, and persistent gender disparities.	Evaluation of devolution progress in Kenya from 2013 to 2026
(Kate, 2023)	The effect of devolution on service delivery by local governance	Desktop research	Devolution in Kenya has considerably improved governance and public service delivery since its promulgation in 2013.	Devolution is integral to decentralisation from national to county governments, leading to improved provision of public services at local levels in Kenya.	Evaluation of devolution progress in Kenya from 2013 to 2026
(Ochieng, 2023)	Presidential veto in legislation in Kenya	Critical review	Granting the president greater power directly violates the core principles of the 2010 Kenyan Constitution	Bypassing Article 94 through presidential directives fundamentally violates the separation of powers and reduces	Evaluation of devolution progress in Kenya from 2013 to 2026

Author	Research title	Methodology	Findings	Gaps in research	Research focus
			and stalls democratic progress.	Parliament to an executive rubber stamp.	
(Wesonga et al., 2025)	Devolution model on youth unemployment in Kenya	Quantitative time-series analysis	The success of devolution in tackling youth unemployment in Kenya depends entirely on how effectively county governments manage resources and implement local employment policies.	While devolution offers a framework for localised job creation, systemic mismanagement can inadvertently worsen youth unemployment.	Evaluation of devolution progress in Kenya from 2013 to 2026

Table 1 integrates a comprehensive review of secondary data on political patronage and legislative oversight accountability of the Kenyan Senate and its influence on devolution from 2013 to 2026.

2.4 Measurement of study objectives

Table 2: Measurement of study objectives

Study objective	Indicators	Measurement	Data type	Analytical technique
Political patronage and accountability by the Kenyan Senate from 2013 to 2026	Lack of Senate Independence; impediments to devolution; stakeholder collaboration; enfeeblement of enforcement of legislation; impact of political affiliations; monetisation of politics; resilient leadership; the need for strong oversight; presidential influence on legislation; political accords influence and interference with constitutional division of powers	Categorical data	Secondary data	Content analysis
Legislative oversight and accountability by the Kenyan Senate from 2013 to 2026	Constitutional collaboration between Senate and County governments; independence of institutions in implementing devolution; constitutional lacuna on equitable representation; interconnectedness of constitutional institutions in implementing devolution; the appellate court is instrumental in delineating the roles of the Senate and the National Assembly on legislation; political integrity is fundamental to economic development, prevention of corruption and building public trust; the Leadership and Integrity Act is paramount to constitutionalism; the enforcement of the Leadership and Integrity Act is essential to ground strong institutions; the embedment of political integrity within accountability and transparency is critical in the fight against corruption	Categorical data	Secondary data	Content analysis

Study objective	Indicators	Measurement	Data type	Analytical technique
Devolution progress in Kenya from 2013 to 2026	Collaboration among constitutional institutions is valuable; devolution has decentralised powers; achieving inclusive economic development; underfunding of county governments is a setback to devolution; political patronage and negative politicisation affect devolution; there is a need to restructure the provincial administration to align it with devolution and the Intergovernmental Relations Act of 2012; institutional regression and lawlessness impair devolution; public participation is essential in devolution; Executive authoritarianism is retrogressive to devolution; there is a need to devolve diverse government functions to county governments in line with the National Government Act, 2013; devolution needs to be bolstered to achieve its aims; there is a need for independence and separation of powers by constitutional bodies; devolution is key to socioeconomic development.	Categorical data	Secondary data	Content analysis

Table 2 models the study objectives on political patronage and legislative oversight accountability of the Kenyan Senate, and its influence on devolution from 2013 to 2026.

3.0 Methodology

This desk research study, conducted between 2013 and 2026, used secondary data from published articles on Kenya's Senate legislation, oversight accountability, and devolution, sourced from Google Scholar and Semantic Scholar. The articles were searched using a combination of keywords based on the study objectives, and 30 documents were reviewed and incorporated for the study. Gupta (2024) also argues that desk research should incorporate theoretical and methodological rigour through structured data collection and analysis to support the overarching findings and conclusions. Moreover, Marques et al. (2024) note that secondary data usage in research is important; however, it should be used cautiously and examined carefully to avoid biases. Meticulous analysis of data repositories may generate meta-synthesis, comparative analysis, environmental modelling and, most importantly, hypotheses and model study designs to review structural prejudices. The research data from the 30 documents were analysed using content analysis via ChatGPT Codex, which coded data into themes and distinct categories within study variables. Bijker et al. (2024) assert that automated systems can effectively conduct qualitative content analysis through diverse stages in a methodical manner, from data reduction to generating data categories, multiple data categorisation and data harmonisation. However, human supervision is vital to ensure data visualisation and interpretation are rooted in study objectives and contexts. Additionally, Senate Bills Tracker analysed data from the 11th Senate of 2013 to the 13th Senate up to and including 2nd October, 2026. Cumulatively, records indicate that out of 582 bills, 94 were passed (Kenyan Senate, 2026)

4.0 Study summary, conclusions, limitations and recommendations

4.1 Study summary

The analysis of the three study objectives was hinged on indicators from secondary data. ChatGPT Codex was utilised to group these indicators into distinct themes within each objective for contextualisation and interpretation.

4.1.1 Political patronage and accountability by the Kenyan Senate from 2013 to 2026

The analysis of political patronage and accountability by the Kenyan Senate from 2013 to 2026 revealed eleven secondary data indicators that ChatGPT Codex grouped into four themes: institutional autonomy; accountability and oversight; political patronage; and devolution and collaboration.

Table 3: ChatGPT Codex content analysis of secondary data indicators on political patronage and accountability by the Kenyan Senate from 2013 to 2026

Theme	Codes from the data	Interpretation
Political control of the Senate	Political affiliations; presidential influence on legislation; political actors' interference; lack of Senate Independence	Senate's decision-making may be shaped by party loyalty and executive interests, limiting independent scrutiny and legislative action.

Theme	Codes from the data	Interpretation
Weak accountability mechanisms	Enfeeblement of enforcement of legislation; need for strong oversight; resilient leadership	Accountability is weakened when laws and oversight findings are not effectively enforced. Strong, independent leadership is therefore identified as essential.
Patronage and material incentives	Monetisation of politics; impact of political affiliations	Political and financial incentives may encourage senators to prioritise party, personal, or patronage interests over accountability
Devolution and institutional conflict	Impediments to devolution; interference with constitutional division of powers	Patronage may undermine the Senate's constitutional role in protecting counties and overseeing devolution, particularly where national political interests dominate
Collaborative accountability	Stakeholder collaboration	Effective accountability requires cooperation among the Senate, county governments, civil societies, oversight institutions and citizens.

The analysis shows that political patronage has weakened the Kenya Senate's autonomy and its accountability role between 2013 and 2026. The data suggest a chain of influence: political patronage, driven by party affiliations and the monetisation of politics, reduces Senate independence and weakens its oversight and enforcement capabilities. Ultimately, this compromises devolution and public accountability. These findings align with Kanyinga & Mboya (2021), who observe that political affiliations and money politics detrimentally influence elective politics in Kenya. Moreover, Gichohi & Arriola (2023) note that successive Kenyan presidents, with different party affiliations and backgrounds, have consistently used state power to constrain democratisation processes in Kenya. Furthermore, Nyagaka (2025) notes that political accords in Kenya have not served as mechanisms for national integration but rather as underhanded tactics to benefit political leaders and advance their political and financial interests. These findings highlight the integrated nature of Senate independence and success in oversight, legislation, and devolution. Furthermore, accountability, institutional collaboration and interconnectedness, especially around decision-making to achieve institutional objectives, are key tenets of institutional theory.

4.1.2 Legislative oversight and accountability by the Kenyan Senate from 2013 to 2026

The assessment of legislative oversight and accountability by the Kenyan Senate from 2013 to 2026 identified ten indicators from secondary data that ChatGPT Codex grouped into six themes: constitutional collaboration; institutional independence and devolution; constitutional and representational gaps; judicial clarification; integrity and anti-corruption; and public trust and development.

Table 4: ChatGPT Codex content analysis of secondary data indicators of legislative oversight and accountability by the Kenyan Senate from 2013 to 2026

Theme	Codes from the data	Interpretation
Constitutional collaboration	Senate-county governments collaboration; interconnectedness of constitutional institutions	Effective oversight requires coordinated relationships between the Senate, county governments and other constitutional bodies involved in devolution.
Institutional independence and devolution	Independence of institutions; implementing devolution	Institutions must act independently to protect devolution from political or administrative interference and to enable Senate oversight
Constitutional and representational gaps	Lacuna on equitable representation; roles of Senate and National Assembly	Unclear constitutional provisions may create conflict or overlap between the two Houses, weakening legislative efficiency and accountability.
Judicial clarification	Appellate Court delineation of Senate and National Assembly roles	Courts play an important role in resolving institutional disputes and clarifying the Senate's legislative mandate
Integrity and anti-corruption	Political integrity; Leadership and Integrity Act; enforcement; accountability and transparency	Legislative accountability is strengthened when integrity laws are enforced and embedded in public institutions, helping prevent corruption and build trust.
Public trust and development	Economic development; prevention of corruption; public trust	Political integrity is framed not only as a legal obligation but also as necessary for public confidence and sustainable development

The secondary data depict that legislative oversight by the Kenyan Senate relies on constitutional clarity, institutional cooperation, and effective integrity enforcement. The data suggest that constitutional clarity and institutional collaboration, coupled with independent implementation of devolution and enforcement of integrity standards, enhance Senate oversight, accountability entrenched in anti-corruption efforts and public trust. The findings align

with Mukuna & Mbao's (2014) assertion that Kenya's constitutional journey was grounded in public involvement, ingraining people-centric governance. Moreover, Maina (2020) highlights that leaders' attributes should be in the context of the Leadership and Integrity Act. Furthermore, Kithinji (2026) posits that political integrity embedded in accountability and transparency is paramount in Kenya, especially in the fight against corruption. These findings can be integrated into institutional theory, since distinct mutual connectedness shapes institutional discourse and the need for collective decision-making, especially on institutional issues rooted in formal politics and legislation.

4.1.3 Devolution progress in Kenya from 2013 to 2026

The evaluation of devolution progress in Kenya from 2013 to 2026 highlights eleven indicators from the secondary data that ChatGPT Codex grouped into seven themes: decentralisation and development; intergovernmental collaboration; county financing; political interference; institutional reform and constitutionalism; governance and the rule of law; and citizen participation.

Table 5: ChatGPT Codex content analysis of secondary data indicators of devolution progress in Kenya from 2013 to 2026

Theme	Codes from the data	Interpretation
Decentralisation and development	Decentralised powers; inclusive economic development; socioeconomic development; devolving more government functions	Devolution brings government services closer to citizens, improving service delivery and promoting equitable development across counties.
Intergovernmental collaboration	Collaboration among constitutional institutions; Intergovernmental Relations Act, 2012	Progress depends on cooperation between national and county institutions, with clear legal frameworks for resolving intergovernmental disputes.
County financing	Underfunding of county governments	Inadequate financial transfers and resources restrict counties' capacity to perform devolved functions and meet local development needs.
Political interference	Political patronage; negative politicisation; executive authoritarianism	Patronage and centralised executive influence can undermine county autonomy, distort resource allocation and weaken accountable devolution
Institutional reform and constitutionalism	Restructuring provincial administration; independence of constitutional bodies; separation of powers	The former provincial administration and state institutions need alignment with the devolved constitutional order to avoid duplication, control, and institutional conflict.
Governance and the rule of law	Institutional regression; lawlessness	Weak institutions and poor adherence to the law threaten devolution's implementation, legitimacy, and sustainability.
Citizen participation.	Public participation	Public involvement is essential for county budgets; priorities, budgets, and development projects reflect citizens' needs and remain accountable.

The findings indicate that devolution in Kenya has expanded democratisation and socioeconomic development; however, financial gaps, political interference and institutional weaknesses impede devolution. Overall, devolved powers, institutional collaboration, county resources, public participation, and independent constitutional bodies support devolution; however, underfunding, political patronage, authoritarianism, institutional regression, and weak rule of law impede it. These findings align with Ntara (2013), who aver that the Kenyan Constitution highlights devolution's role in socioeconomic development and stipulates the functions, mandates and accountability of independent institutions. Moreover, according to Nyandemo (2022), devolution faces several hurdles, such as disputes between the national and county governments on revenue allocations and delayed capitation from the National Treasury, duplication of functions between the two levels of government, incompetence, embezzlement of public funds, lack of public participation in governance and gender disparities, among other hurdles.

4.2 Study conclusions

4.2.1 Political patronage and accountability by the Kenyan Senate from 2013 to 2026

In conclusion, the analysis shows that political patronage, party alignments, and the commercialisation of politics have systematically eroded the Kenyan Senate's autonomy and oversight capacity from 2013 to 2026. This systematic interference directly undermines the core pillars of devolution and public accountability. Protecting the Senate's independence and fostering genuine collaboration are vital to restoring robust checks and balances in Kenya's governance mechanisms. This conclusion aligns with Cheeseman et al. (2016), who argue that in Kenya, political party patronage culture since the 2002

election has seen key governance institutions regress through a feeble opposition; the executive influences the legislature, and civil institutions and the media have been inarticulate.

4.2.2 Legislative oversight and accountability by the Kenyan Senate from 2013 to 2026

Ultimately, effective legislative oversight by the Kenyan Senate depends on clear constitutional mandates, robust institutional collaboration, and strict enforcement of integrity standards. Moreover, integration of these elements will significantly enhance public trust and strengthen anti-corruption efforts within the devolution framework. Thus, it is imperative, according to (Allio, 2007; Huberts et al., 2022), to embed ethical leadership for probity in legislation and accountability by the Kenyan Senate

4.2.3 Devolution progress in Kenya from 2013 to 2026

In summary, devolution in Kenya has expanded democratisation and driven socioeconomic development. However, financial gaps, political interference, and institutional weaknesses severely impede devolution's full potential. Devolution thrives on institutional collaboration, adequate county resources, public participation, and independent constitutional bodies. Furthermore, underfunding, political patronage and weak rule of law subvert devolution. Overall, resolving these structural and political vulnerabilities will safeguard and ensure devolution success. This conclusion aligns with Nyawa (2020), who elucidates that devolution success depends on decentralisation of powers as envisaged in the Kenyan Constitution.

4.3 Study limitations

This study relied on secondary data, which limited direct access to the views and experiences of senators, county officials, citizens, and other stakeholders. The findings therefore reflect the available literature, legal documents, reports, and public records rather than primary evidence collected from participants. The study also covered a broad period, from 2013 to 2026, during which Kenya's political and institutional environment changed. Some developments may not be fully captured in the available sources. Moreover, political patronage, institutional independence, accountability and devolution are complex concepts and may be interpreted differently across sources. Finally, the analysis explored political patronage, legislative oversight, accountability and the influence of the Kenyan Senate on devolution from 2013 to 2026. Furthermore, the findings should therefore be interpreted as an overview of key themes rather than a definitive assessment of every county or institution.

4.4 Study recommendations

To restore the Kenyan Senate's autonomy, strengthen its legislative oversight, and safeguard devolution, Kenya must prioritise structural reforms that insulate governance from political patronage, guarantee independent financing for county governments, and institutionalise ethical leadership. The following specific recommendations are proposed to insulate the Senate from executive and party influence: legal and institutional measures to shield the Senate from party patronage and executive influence. This is important for constitutional autonomy and restoration, enabling robust checks and balances, and ensuring a functional political opposition. To institutionalise ethical leadership and integrity standards: adhere to the Ethics and Leadership Act and amend parliamentary frameworks to embed strict anti-corruption and probity standards. Ethical leadership in the Senate will improve the chamber's capacity to hold devolved units accountable. To secure county governments' independent financing and avoid resource gaps, it is essential to embed county governments' revenue-sharing formulas structurally and legally. This will ensure timely funding, mitigate political manipulation, and achieve socioeconomic development through devolution. To deepen institutional collaboration and enhance public participation, build resilient partnerships among the Senate, independent constitutional bodies and county governments. Subsequently, enhancing public participation mechanisms will promote openness and uphold the rule of law across the devolution framework.

4.5 Suggestions for future research

This study examined political patronage, legislative oversight and accountability of the Kenyan Senate and its influence on devolution from 2013 to 2026. Through the findings and conclusions, further research can be done on the following key areas: an exploration can be conducted to ascertain how political financing transformations and dynamics in party politics can safeguard the Senate from executive domination; moreover, an investigation into how the enforcement of the Ethics and Integrity Act may help in the anti-corruption crusade and improve collaboration among institutional bodies will be essential; furthermore, a study on how county governments may generate own-source revenue to bypass dependence on national government funding; additional research on how institutional theory can be used to mitigate political patronage in distinct settings will be critical.

References

Akech, M. (2015). Building a Democratic Legislature in Kenya. *East African Law Journal*.

Allio, R., J. (2007). Bad leaders: How they get that way and what to do about them. *Strategy & Leadership, 35*(3).

Bijker, R., Merkouris, S., S., Dowling, N., A., & Rodda, S., N. (2024). ChatGPT for Automated Qualitative Research: Content Analysis. *Journal of Medical Internet Research*. https://doi.org/10.2196/59050

Bosire, C., M. (2016). Kenya's Budding Bicameralism and Legislative – Executive Relations. *Stellenbosch Handbooks in African Constitutional Law*.

Cheeseman, N., Kanyinga, K., Lynch, G., & Willis, J. (2024). Has Kenya democratised? Institutional strengthening and contingency in the 2022 general elections. *Journal of Eastern African Studies*. https://doi.org/10.1080/17531055.2024.2359154

Cheeseman, N., Lynch, G., & Willis, J. (2016). Decentralisation in Kenya: The governance of governors. *Journal of Modern African Studies*, *54*(1). https://doi.org/10.1017/S0022278X1500097X

D'Arcy, M., & Cornell, A. (2016). Devolution and Corruption in Kenya: Everyone's Turn To Eat? *African Affairs*. https://doi.org/10.1093/afraf/adw002

Gathii, J., T., & Otieno, H., M. (2018). Assessing Kenya's Cooperative Model of Devolution: A Situation-Specific Analysis. *Federal Law Review*, *46*.

Gichohi, M., K., & Arriola, L., R. (2023). *Executive Dominance through Constitutional Bargaining. Democratic Backsliding in Africa*.

Huberts, L., Kaptein, M., & de Koning, B. (2022). Integrity Scandals of Politicians: A Political Integrity Index. *Public Integrity*, *24*(3). https://doi.org/https://doi.org/10.1080/10999922.2021.1940778

Kachu, A., T. (2019). *Influence of Kenya's Senate on the Devolution Process, 2013-2017* [Master's Thesis]. Kenyatta University.

Kaguongo, W. (2018). *Introductory note on Kenya* [Kenya 2010 Constitution].

Kalaitzaki, K. (2025). The role of national parliaments and European Parliament as guardians of European values: The case of democracy and the rule of law in Cyprus. *The Journal of Legislative Studies*. https://doi.org/10.1080/13572334.2024.2443882

Kamaru, M., M., Nyabola, N., & Pommerolle, M., E. (2018). The Missing Piece: The Legislature, Gender Parity and Constitutional Legitimacy in Kenya. *Where Women Are*.

Kanyinga, K. (2016). Devolution and the New Politics of Development in Kenya. *African Studies Association*. https://doi.org/10.1017/asr.2016.85

Kanyinga, K., & Mboya, T. (2021). The cost of politics in Kenya Implications for political participation and development. *Netherlands Institute of Multiparty Democracy*. http://www.wfd.org/

Kate, M. (2023). Impact of Devolution on Local Governance and Service Delivery in Kenya. *International Journal of Humanity and Social Sciences*, *1*(1).

Kemboi, L., K. (2022). *Are the interests of the counties being protected in the fiscal policy process without the Senate's input?* [Online post]. Https://Ssrn.Com/Abstract=4193660. https://ssrn.com/abstract=4193660

Kenyan Senate. (2026, October 7). *Bills Tracker* [Kenyan Senate Website]. https://www.parliament.go.ke/the-senate/house-business/bills-tracker

Kithinji, A., M. (2026). Political Accountability, Jurisprudence and Governance in Kenya. *International Journal of Contemporary Applied Researches*, *13*(4). http://www.ijcar.net/

Kwenjera, P. (2023). Leadership and Integrity: The Citadels for Constitutionalism in Kenya. *Pázmány Law Review*. https://doi.org/10.55019/plr.2023.1.113-149

Lammers, J., C., Garcia, M., A., Putnan, L., L., & Mumby, D., K. (2014). *Institutional theory*.

Mahmud, R. (2017). Understanding Institutional Theory in Public Policy. *Dynamics of Public Administration*, *34*(2). https://doi.org/10.5958/0976-0733.2017.00011.6

Maina, W. (2020). *The decline and fall of electoral integrity*. Electoral Law and Governance Institute of Africa.

Mak'Ouya, S. (2024). *The Doctrine of Separation of Powers: Constitutional Theory and Political Life in Kenya*.

Marques, N., de Melo Soares, C., D., de Melo Casali, D., Guimares, E., C., Fava, F., G., da Silva Abreu, J., M., Moras, L., M., da Silva, L., G., Matias, R., de Assis, R., L., Fraga, R., Almeida, S., M., Lopes, V., G., Oliveira, V., Missagia, R., Carvalho, E., C., Carneiro, N., J. ,., Alves, R., Souza-Filho, P., … da Cunha Tavares, V. (2024). Retrieving biodiversity data from multiple sources: Making secondary data standardised and accessible. *Biodiversity Data Journal*, *12*. https://doi.org/10.3897/BDJ.12.e133775

Mukaindo, P., K. (2014). *Kenya's Devolution Implementation: Emerging Issues in the Relationship between Senate and County Governments* [Master's Thesis]. University of the Western Cape.

Mukuna, J., & Mbao, M., L., M. (2014). Popular Participation in Legislative Law-Making under the New Democratic Dispensation in Kenya. *Mediterranean Journal of Social Sciences*, *5*(20). https://doi.org/10.5901/mjss.2014.v5n20p438

Murray, C. (2013). Kenya's 2010 Constitution. *Neue Folge Band Jahrbuch Des Öffentlichen Rechts*.

Mutinda, C., M., & Mbataru, P. (2020). Effects of Devolution on the Restructuring of the Provincial Administration in Kenya: A Case of Nairobi City County. *International Journal of Current Aspects*, *4*(2). http://www.ijcab.org/

Muwonge, A., Williamson, T., S., Owuor, C., & Kinuthia, M. (2022). Making Devolution Work for Service Delivery in Kenya. *International Development in Focus. Washington, DC*. https://doi.org/10.1596/978-1-4648-1726-7.

Ngigi, S., & Busolo, D., N. (2019). Devolution in Kenya: The Good, the Bad and the Ugly. *Public Policy and Administration Research*, *9*(6). https://doi.org/10.7176/PPAR

Ntara, C. (2013). Devolution and Expected Impact in Kenya. *International Journal of Professional Practice*, *4*(1 & 2).

Nyaburi, I., N., Agwanda, B., & Maulani, N. (2020). Evolution of Kenya's Political System and Challenges to Democracy. *Global Encyclopedia of Public Administration, Public Policy, and Governance*. https://doi.org/10.1007/978-3-319-31816-5_3997-1

Nyagaka, E., O. (2025). The 'Handshake' Politics in Post-Independence Kenya: The Long Search for Elusive National Unity. *Journal of Arts Humanities and Social Sciences*, *3*(3). https://doi.org/10.5281/zenodo.15476144

Nyandemo, S., M. (2022). Devolution in Kenya as a Mechanism of Inclusive Development: Challenges and Prospects. *Journal of Economics, Management and Trade*, *28*(11).

Nyawa, J., M. (2020). *The Broken Promise: Kenyatta's Love for Abusive Constitutionalism and Imperial Presidency*.

Ochieng, W., K. (2021). Constitutional guardianship in Kenya's bicameral legislature: An assessment of judicial intervention in inter-cameral disputes over the enactment of the Division of Revenue Bill. *Strathmore Law Journal*. https://doi.org/10.52907/slj.v5i1.142

Ochieng, W., K. (2023). Presidential Veto in the Law-Making Process: The Case of Kenya's Amendatory Recommendations. *Journal of African Law*. https://doi.org/10.1017/S0021855322000237

Omweri, F., S. (2024). The Constitutional Eschatology of Decentralisation in Kenya: Exploring Federalism's Role in Shaping the Future of Devolution and Regional Autonomy. *International Journal of Innovative Scientific Research*, *2*(3). https://doi.org/10.5281/ijisr040724

Onyango, G. (2021). *Legislative Policymaking in Kenya*. https://doi.org/10.1007/978-3-030-61784-4_5

Opongo, E., O. (2022). Democracy, Citizen Participation and Peace Economics in Kenya: Interrogating the Social Change Processes Interrogating the Social Change Processes. *The Journal of Social Encounters*, *6*(1).

Otele, O., M., Kanyinga, K., & Mitullah, W. (2026). *Building Resilient Democracies Campaign Finance Issues and Reforms in Kenya*. The Brookings Institution.

Otieno, V., O. (2024). A Move towards Improving Good Governance in Kenya- Roles of Citizens in Promoting Good Governance. *American Journal of Law and Political Science*, *3*(1). https://doi.org/10.58425/ajlps.v3i1.260

Ronoh, G., Mulongo, L., S., & Kurgat, A. (2018). Challenges of Integrating Public Participation in The Devolved System of Governance for Sustainable Development in Kenya. *International Journal of Economics, Commerce and Management*, *6*(1). http://ijecm.co.uk/

Wambugu, R., Mbaka, N., & Atieno, C. (2025). Discrediting Opponents as a Communicative Goal of Impoliteness in Parliamentary Discourse. *Open Access Library Journal*, *12*. https://doi.org/10.4236/oalib.1114214

Wesonga, U., S., Annette, O., & Angwenyi, D. (2025). Modeling the effect of devolution on youth unemployment rates in Kenya using autoregressive integrated moving average—Intervention model. *African Journal of Empirical Research*, *6*(3). https://ajernet.net/