

Executive–Legislative Relations, Party Defections, and Lower Level Administrative Unit Proliferation: Evidence From Kenya

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Abstract

Over the past 25 years, there has been a dramatic increase in the number of subnational administrative units within developing countries. Existing literature argues that presidents create new units to deliver patronage to citizens. But proliferation at lower tiers of the state, that are too administratively distant from the president to credibly serve as patronage, does not follow this logic. We build from the premise that the creation of a new lower level unit comes with the appointment of a local administrator who develops a neopatrimonial relationship with the legislator whose constituency subsumes their jurisdiction. Presidents leverage this neopatrimonial relationship and create lower level units for copartisan legislators to ensure legislative support and prevent party defections. We find evidence supporting this argument using new data from Kenya. These findings illuminate how leaders can use administrative reform to undermine legislative checks against executive power.

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Introduction

Since the end of the Cold War, many developing countries have rapidly increased the number of their subnational administrative units.¹ This “unit proliferation” involves the creation of new jurisdictions within a state’s territory and is part of a broader trend of states engaging in subnational reforms—changes to the structure of the state that reconfigure the balance of power between the center and the periphery. In some cases, subnational state reforms result in localities gaining power through devolution (Montero & Samuels, 2004; O’Neill, 2005), decentralization (Falleti, 2010; Samuels, 2004), or the creation of federal systems (Ziblatt, 2006). However, governments of other countries have used subnational reforms to recentralize authority and reassert control (Olowu, 2003; Wunsch, 2001). The prevalence of subnational reforms has thus fittingly spurred a research agenda on the effects of such reforms (Grossman, Pierskalla, & Dean, in press; Prud’homme, 1995; Treisman, 2006), as well as, fundamentally, why central governments choose to alter their relationship with the periphery in the first place (Bohlken, 2016; Boone, 2003; Eaton, 2004; Landry, 2008).

Although unit proliferation has been supported by the international donor community as a way to create more efficient and responsive states, recent research suggests that many countries’ waves of unit proliferation are motivated by presidents’ self-interested attempts to either maximize their chances of reelection (Hassan, 2016; Kasara, 2006) or respond to bottom-up demands (Pierskalla, 2016), often in expectation of other direct political benefits (Grossman & Lewis, 2014; Malesky, 2009).

One fact largely overlooked by current literature on unit proliferation—and subnational reforms more broadly—is that countries are subdivided into multiple administrative tiers, ranging from larger “higher level units” such as provinces or districts, to more localized “lower level units” such as communes or wards. Worldwide, countries average three subnational administrative tiers. Countries in sub-Saharan Africa—the focus of the majority of existing research on this topic—average four.² Indeed, unit proliferation at lower tiers of government has been widespread across the subcontinent, as Table 1 indicates.

Importantly, unit proliferation at lower tiers of government has a direct effect on how citizens interact with the state. Citizens have the most

Table 1. Increase in Lower Level Administrative Units in Africa.

Country	Administrative unit	Tier	No. of tiers total	1990	2015
Angola	Commune	3	3	475	618
Burkina Faso	Department	4	4	250	350
Burundi	Hill	3	4	2,638	2,908
Burundi	Sub-hill	4	4	8,103	9,915
Chad	Sub-prefecture	3	4	200	348
Ethiopia	District	3	4	556	769
Ethiopia	Ward	4	4	1,260	~30,000
Gabon	County	3	3	219	259
Guinea	Sub-prefecture	3	3	14	341
Ivory Coast	Sub-prefecture	3	3	254	510
Kenya	Location	4	5	970	2,735
Kenya	Sublocation	5	5	3,290	7,149
Liberia	Clan	3	3	300	580
Madagascar	Village	5	5	11,393	17,485
Malawi	Traditional authority	3	4	200	253
Mozambique	Locations	4	4	979	1,933
Niger	County	4	4	~10,000	~17,000
Nigeria	Ward	3	3	8,812	9,572
Senegal	Commune	4	4	368	426
South Africa	Ward	4	4	3,715	4,277
Tanzania	Ward	4	5	715	2,760
Uganda	Sub-county	3	3	668	1,382
Zimbabwe	Ward	3	4	1,583	1,958

List of sub-Saharan African countries that increased their number of lower tiered administrative units by at least 10% since 1990. Compiled from various official sources, including information released by the government of the country, international organizations, and from academic research. Because of the difficulty in finding the number of lower level units for countries in specific years—precisely because there are so many lower level units, governments increase them incrementally and do not keep a tab for each year—we instead find information about units in the years closest to our start date (1990) and end date (2015) as possible.

day-to-day interactions with their local administrators as opposed to higher level officials. This is both to the benefit and disadvantage of local residents. Lower tiers of the state are more accessible and knowledgeable about local affairs, and can thus administer local problems more adeptly than a far-flung capital. But in countries where the state routinely coerces citizens, the small

size of lower level units makes those working within the unit more effective at controlling local residents.

Despite the structural differences between tiers of administrative units, the findings of this literature are based solely on evidence about the creation of higher level units. Existing research will lack external validity if the politics of lower level unit creation are not shaped by the same incentives as higher level units. There are strong theoretical reasons to suspect that this might be the case. Namely, it is difficult for the executive to credibly act as the patron of or monitor lower tiered units because they are small territories that are far down the administrative hierarchy. Creating lower level units, relative to higher level units, is likely to confer only modest *direct* benefits to a president.

We build from this insight to develop a theory of the creation of lower level administrative units. We start from the observation that lower level administrative units are typically smaller than the jurisdictions of subnational elected officials, such as representatives to the national legislature.³ These subnational elites stand to benefit electorally from the president's creation of lower level units in their jurisdiction: Lower level unit creation brings some central resources to the area but, perhaps more importantly, leads to the appointment of a new unit administrator. Because the subnational elected official has national-level linkages, she can influence the appointment and promotion decisions of those administrators in her jurisdiction while also monitoring their behavior. As such, neopatrimonial relationships emerge between the subnational elected elite and local-level administrators who, in return, double as political brokers for the elite. Elites lobby the president for the creation of more lower level units within their jurisdiction, as unit proliferation is controlled by the executive branch.

Our theory leads to two observable implications when applied to legislators. First, the executive will create lower level units for legislators in her party: Lower level unit proliferation helps the legislator whose constituency contains them, and thus (directly) increases the legislator's reelection chances and (indirectly) decreases the probability of the president losing a legislative majority.⁴ Second, because lower level administrative units tie individual legislators to the president, in weak party systems an executive will create these units to preempt defections by those members of her own party who have a sufficient personal following to leave the party and run as an independent or minor-party candidate.

We examine the observable implications of this theory in Kenya in the decade following the return to multiparty elections in 1992. Focusing on this period allows us to leverage Kenya's transition away from a one-party regime when the weak ruling party suffered serious defections. Lower level administrative "locations" and "sublocations"—the two lowest levels of Kenya's

five-level administrative structure—more than doubled during these years. We find that new units were more likely to be created in constituencies of legislators who belonged to the ruling party and who had strong constituency followings. We run a series of robustness tests that indicate that lower level unit creation did not directly benefit the president. Our results also indicate that this strategy “worked.” We show suggestive evidence that the creation of lower level administrative units is associated with a 25% decrease in defections from the ruling party, a margin that was necessary to sustain its legislative majority during this period.

This article makes several contributions. Most directly, this article adds to the literature on unit proliferation. In line with much existing research, we show that the benefits of unit creation to receiving areas make it a tool that presidents can use to deliver patronage. We differ from existing literature, however, in arguing that this patronage works through different logics at different tiers: The creation of lower level administrative units directly helps legislators and thus serves to *indirectly* help the president by ensuring that she faces less legislative constraint. As with much of the literature on subnational reform more broadly, we suggest that those in charge of designing state institutions of administration opt for the structures that are most politically useful within a given institutional and strategic setting, as opposed to what is socially optimal.

Third, we add to new literature on bureaucratic compliance through legislator oversight. Lower level state officers often shirk from their duties in states with weak monitoring. But officers can be co-opted into complying when there is political oversight (Gulzar & Pasquale, in press; Raffler, 2016). Legislators have an incentive to monitor those lower level officers in their constituency to ensure that their constituents receive the state resources entitled to them. We show this logic in a new context and further add that presidents can leverage this neopatrimonial relationship between legislators and officers to selectively ensure state administration in some subnational areas over others.

Finally, our focus on a regime in transition allows us to dialogue with research on the durability of authoritarian regimes. This literature has argued that autocrats construct democratic institutions—including legislatures and political parties—to garner legitimacy and co-opt other ruling elites (Gandhi & Przeworski, 2007). An executive’s control over administrative institutions can prove crucial in propping up dominant parties and ensuring that wavering legislators do not defect, not only because executives dole out cabinet positions to keep elite coalitions together (Arriola, 2009; Francois, Rainer, & Trebbi, 2014; Gandhi, 2008; Svolik, 2012) or directly fund legislative campaigns (Greene, 2009; Magaloni, 2006) but by allowing them to permanently

change a country's administrative structure as a way to undermine legislative independence. Our findings also indicate that the creation of lower level administrative units can perpetuate subnational authoritarianism (Gibson, 2010; Mickey, 2015) by providing local elites with the administrative resources to bolster their local power.

As such, the political implications of subnational state reforms can be even more far-reaching—and insidious to democratization—than has been suggested previously. Aside from perpetuating hybrid regimes by helping autocratic leaders win elections (Kasara, 2006), reducing elite opposition (Green, 2010; Malesky, 2009), or reducing the ability of subnational governments to constrain the center (Grossman & Lewis, 2014), the results of this article indicate that unit creation increases executive power through the erosion of interbranch checks and balances, weakening the capacity of the legislature to effectively constrain the executive.

Administrative Unit Proliferation in Developing Countries: Existing Theory and Evidence

Lower level administrative unit proliferation has been widespread, including among almost two dozen countries in sub-Saharan Africa since 1990 (see Table 1). This indicates a need for theory that understands the causes and consequences of these changes.

Much existing research on unit creation credits the beginning of this phenomenon to pressure by Western donors and international financial institutions. Around the early 1990s, donors were pushing developing countries to reform bloated central states and simultaneously transition toward multiparty elections. The argument in favor of this reform was that unit creation—at any tier of the state—creates more central government outposts, often resulting in closer administration for increasingly rural areas. As a result, presidents who have undertaken these reforms, often with little legislative or judicial oversight, publicly defend them using rhetoric such as bringing “development closer to the people,” even though there is little empirical evidence of such reforms having a positive effect on development outcomes (e.g., Bardhan & Mookherjee, 2006; Prud'homme, 1995).

Existing literature on higher level administrative unit creation posits two direct ways in which unit creation can help executives. First, a new unit can sway residents into supporting the executive because it serves as patronage to the area. Importantly, the relative benefits of a new unit depend on the country's state structure and the country's principal administrative tier at which development takes place. The principal administrative tier tends to be among

the country's higher level units.⁵ The creation of administrative units at the principal administrative tier promises to increase local public sector employment, increase construction of local infrastructure, and provide area residents with a guaranteed pool of state resources.⁶ Although there are fixed costs with the creation of a new unit (e.g., building new unit headquarters), executives may prefer this form of patronage over private clientelistic gifts because units distribute benefits to a large population and are thus relatively cheaper.

Hence, much literature has argued that presidents preempt these patronage benefits, creating new units in the run-up to reelection campaigns (Ayee, 2013; Hassan, 2016; Kasara, 2006). A second branch has argued that local elites demand these new units (Pierskalla, 2016) and presidents respond because of resulting political benefits (Grossman & Lewis, 2014; Malesky, 2009). Much of this literature thus predicts that new units are created outside the president's core regions of support (Green, 2010; Hassan, 2016; Kasara, 2006), as well as in marginalized areas (Grossman & Lewis, 2014) or ethnically fractionalized areas (Pierskalla, 2016) that have traditionally been shut out of procuring state resources.

A second stream of research, that may prove more useful in understanding unit proliferation at lower levels, argues that new units help executives by increasing their monitoring capacity over the population. This literature recognizes the administrative personnel changes that unit creation entails, a change that occurs regardless of the tier being proliferated. Lewis (2014) argues that the mechanical effects of unit creation—smaller administrative units, and a higher density of administrators—means that administrators can better use their authority and security networks to monitor threats against the regime. Boone (2003) suggests that decentralization more broadly can strengthen local state agents and power brokers.

However, it is unclear whether theories developed for higher level administrative units can be generalized to lower level units for three reasons. First, findings about the politics of administrative unit proliferation examine the proliferation of units that also tend to serve as each country's principal administrative tier. First, findings about the politics of administrative unit proliferation examine the proliferation of higher level administrative units that also serve as each country's principal administrative tier. Accordingly, current research has found that unit creation is a mechanism for a president to deliver patronage. Lower level unit creation, however, often results in few budgetary changes, meaning that monetary patronage is not the major mechanism in play. Second, the administrative distance between lower level units and the president makes it unclear whether area residents attribute this increase in units to the president, but instead to a subnational political elite who is in a better position to demand, interact with, and directly benefit from their proliferation.

Third, and relatedly, it is unclear whether lower level unit proliferation increases the president's monitoring capacity. Although national executives can closely monitor administrators within the small number of a country's higher level administrative units, the same level of management is impossible for the administrators within the hundreds or thousands of new lower level administrative units. Administrators within lower level units, instead, often cultivate brokerage relationships with the local legislator precisely because the legislator is more accessible and relevant in the management of the area (Baldwin, 2013; Fiorina & Noll, 1978) or can better monitor (and reward) their behavior (Gulzar & Pasquale, in press, Raffler, 2016). In the next section, we start from these features of lower level administrative units to develop a theory of why and where executives will create them.

Theory: Executive–Legislative Relations and Lower Level Administrative Unit Proliferation

Our theory builds on existing research that treats unit creation as a patronage good that is controlled by the executive. But it departs from earlier literature that has emphasized the executive's strategic calculations about the direct effects to herself. Instead, our theory focuses on strategic interactions between the president and subnational elected elites. We posit two scope conditions. First, the subnational elites in question are elected from single-member districts. Second, the officials hired to run new lower level administrative units are centrally appointed, a feature common across sub-Saharan Africa and other developing countries.⁷

Our theory is broadly applicable to contexts where subnational elected elites have the capacity to significantly limit executive power. Some examples include an elected governor of a higher tier unit who can fight the center for more provincial authority, a legislator in the national parliament who can vote to reduce executive power, or a regional party branch leader who can advocate for other candidates to represent her party for the presidency. We theorize lower level unit proliferation specifically for legislators for two reasons. First, focusing on legislators gives the theory wide applicability: Most countries directly elect their national legislatures, but many do not have other subnational elected elites. Second, focusing on legislators allows the theory to speak to the specific impact of executive–legislative relations on presidential behavior.

We argue that the creation of lower level units actually alters two important relationships—(a) between the local legislator and area residents through the local administrator, and (b) between the executive and the local legislator.

Looking first at the relationship between the local legislator and area residents, the creation of lower level units serves as a patronage gift that helps the legislator get reelected. Legislators lobby the executive for more lower level units within their jurisdiction. They do so as this shows area residents that the legislator is capable of procuring central government resources for the area—a main concern of voters in developing countries (Baldwin, 2013; Kitschelt, 2000). This procurement of resources is clearest to see when lower level units are the principal administrative tier or they guaranteed a pot of development funds, as the area now gets relatively more resources than it did before the split. But even if lower level unit creation does not result in a financial windfall—as in most cases—it will still result in the appointment of a local administrator (e.g., appointed mayor, local councillor, village head) and other ancillary staff.⁸ These new appointees are drawn from the area, meaning that the local legislator will have created a handful of new jobs. More importantly, the newly appointed administrator becomes a point-person who advocates on behalf of the area to political elites for more resources. This administrator serves as a lobbyist for her residents' requests.

But perhaps of most significance is that these administrators serve as coordinators for local development projects. Mechanically, the area's smaller size means that the administrator can more easily identify the projects that are most needed by the local community and will have the largest impact on local development.⁹ Moreover, these administrators use their authority to solve collective-action problems and bring together "stakeholders" to best implement these local development projects and guarantee their success. In theorizing about the role of "unelected local elites in leadership positions," Baldwin (2013) writes that they are "in a unique position to lobby on behalf of their communities, to obtain information on problems, to organize local resources, and to ensure community participation in programs" (p. 795). Lower level unit creation and the appointment of a local administrator can make current development efforts more efficient even when proliferation happens outside the principal administrative tier or does not result in a guaranteed pot of development money.

Lower level unit creation can help the legislator get reelected in a second way: by giving the legislator more political brokers (or intermediaries) who themselves increase her local support. Unit creation begets a neopatrimonial relationship between the legislator and the local administrators within her constituency. This is because a legislator informally affects the career trajectory of these bureaucrats through connections with national-level elites who make hiring and promotion decisions. In return, these administrators use their state authority to benefit the legislator. For instance, these administrators can distribute state benefits only to supporters of the legislator or obstruct her

opponents from voting. In addition, local residents have an incentive to support the administrator's legislative patron because, "by bundling votes [local] intermediaries gain leverage to acquiesce promises of resources on behalf of their followers" (Koter, 2013, p. 193).¹⁰ The greater the extent that the community supports the local legislator, the more leverage the local administrator has to ask the legislator for more resources for the area in the future.¹¹

The creation of lower level units also engenders a second patronage relationship between the executive and the area legislator. Lower level unit creation in a legislator's constituency increases the overall stock of central government resources that the legislator can claim she secured for the area. Executive creation of a unit in a constituency allows the receiving legislator to concentrate her limited campaign funds on other local development activities that will help her get reelected. In return, the executive expects the legislator's support in parliament. Legislative support may take a variety of forms, including voting in favor of legislation that the executive supports, opposing—or refusing to bring up in the first place—legislation that may harm executive power, or playing down presidential corruption scandals.

We now shift to discussing lower level unit proliferation specifically within a context of weak parties and weak party systems—which are exceedingly common in sub-Saharan Africa (Riedl, 2014)—to examine how lower level unit proliferation can affect party defections. Lower level unit creation as a way to ensure legislative support from copartisan legislators is an especially attractive strategy for executives in weak party systems. Weak parties offer fewer resources to their legislators; they are unlikely to have a strong party brand that legislators can run on, a solid network of grassroots activists, or elite donors who consistently contribute to party coffers. Instead, legislators often seek personalized inducements to not defect (Arriola et al., 2016).¹² Moreover, there are fewer costs to party switching in countries with weak parties as constituents do not punish party switching and party leaders cannot enforce discipline.

At the same time, the benefits to a legislator who defects from the ruling party can be high: In many developing countries, donor reforms to privatize the public sector have allowed new parties to offer their candidates financial resources that rival those of the ruling party (Arriola, 2012). Importantly, defection away from the ruling party does not necessarily mean defection to the opposition. In many weakly institutionalized party systems, parties differ not on policy preferences but on the societal groups that receive state patronage. Put differently, legislators and their voters are not worried about the ideological differences between the ruling party or the opposition because these parties often do not occupy different policy spaces. Legislators who defect from the ruling party often create splinter parties, which are open to

caucusing with their former party in the legislature—so long as they are remunerated adequately. Defecting legislators can subsequently command a high price from the executive to enter into a legislative coalition (Kelly, 2015).

For presidents in countries with weak party systems, legislator defection creates the potential for divided government and a hostile legislature. A defecting legislator is unlikely to directly affect a president through decreased votes for the president herself. Split-ticket voting is more common than in stronger party systems (Mainwaring, 1998) because voters are less attached to parties than they are to individual candidates (McAllister & White, 2000).¹³

The ability to defect is not equally distributed among the executive's copartisan legislators, however. The ability to defect is highest among those legislators who have strong constituency support. These types of politicians get reelected because of the level of local resources they bring to the area, regardless of whether they switch parties (Wilfahrt, 2016). Their high levels of local support and thus expectation of reelection buy them bargaining power with which they can extract more resources from the executive in return for legislative cooperation. Within weak party systems, then, an executive will use lower level unit creation to preemptively co-opt those legislators in her own party who have strong enough local support to win election as an independent or minor-party candidate.

There is a possibility that a legislator who receives lower level units in exchange for staying in the ruling party can renege on this commitment and defect from the ruling party nonetheless. This is a risk that presidents in multiparty systems must live with: Presidents' attempts to co-opt legislators into not defecting are not binding. Co-opting legislators with patronage—including new lower level units—ultimately creates a situation in which the president empowers those who he needs support from.

Despite the possibility of renegeing, there are three reasons why presidents may still utilize the strategy of creating lower level units to prevent defections. First, the creation of lower level administrative units for legislators is still optimal for the president, so long as it serves to co-opt a sufficient number of legislators in the aggregate. Lower level unit proliferation is fairly low cost for the president—when lower level units are not the principal administrative tier, the largest cost is that of hiring a new administrator—while the potential benefits of legislative compliance are high.

Second, a president can undermine the neopatrimonial relationship between a renegeing legislator and the administrators under the legislator. After new units are created, a president can refuse to pay the salaries of administrators in the constituency of a particular legislator or deny requests to promote these administrators to higher ranks.¹⁴ Although presidential monitoring is not good

enough to monitor the thousands of local administrators across the country, it is much easier to monitor a few dozen copartisan legislators whose legislative actions are clear and ensure their compliance by punishing (or threatening to punish) the legislators' agents.¹⁵

Finally, and perhaps most importantly, high discount rates can lead the president and legislators to place less weight on the long-term political risks of unit creation. Instead, an emphasis on short-term political survival may lead both sets of actors to place a high value on the immediate political advantages that unit creation can confer. The tendency for politicians to heavily discount the future will be even higher in moments of political transition and uncertainty (Bates, 2008; Gibson, 2010; Pierson, 2004), such as transition away from one-party rule. More broadly, presidential creation of lower level units in a manner that seems to weaken the president's bargaining position or executive power parallels much of the literature on the politics of subnational reform. Presidents may recognize the inherent risks involved with any reform that changes the balance of power between center and periphery—be it devolution, federalism, or unit creation—but these risks are often outweighed by the desire to maintain power in the immediate future. As Kent Eaton (2004) notes in his analysis of decentralization in Chile and Uruguay, “short-term political demands led national reformers to embrace changes that would have long-term and potentially problematic consequences” (pp. 3-4).¹⁶

Overall, unit creation—at all tiers—benefits presidents. Given the large toolkit that presidents with strong executive power have, they opt for those tools that are most appropriate for a given political challenge. Unit creation at higher tiers of government proves useful in directly helping presidents win reelection, meet local demand, or split the opposition. However, the characteristics of lower level units make them ill-suited for these pursuits. Instead, they are more indirectly useful—their proliferation can help a president maintain support of subnational political elite who more directly benefit from their proliferation.¹⁷

Executive–Legislative Relations and Lower Level Administrative Units in Kenya

In this section, we introduce the case under study: Kenya in the decade immediately following the return to multiparty elections in 1992. We provide details about two elements of Kenyan politics that make it an appropriate case for our theory: (a) the importance of Parliament to President Daniel arap Moi and (b) the relationship between bureaucrats in Kenya's lower level administrative units and members of Parliament (MPs).

President Moi took office in 1978 and quickly turned Kenya into a *de jure* single-party regime ruled by the Kenya African National Union (KANU). Moi was pressured into political liberalization by international donors after the end of the Cold War. Kenya has held concurrent presidential and parliamentary elections every 5 years since 1992. Moi and KANU won in 1992 and 1997 before losing power in 2002. But even during these first two multiparty elections, KANU's dominance in the legislature started to yield: KANU won only 53% of seats in 1992 and 50% in 1997.

Without a strong legislative majority, Moi found an increasingly emboldened—and hostile—Parliament. Parliament had served as a rubber-stamp for Moi under one-party rule (Widner, 1992), but after 1992, opposition leaders used their increased political freedom to attack Moi publicly and impose constraints on his authority. Opposition MPs implemented a broad series of internal reforms that diminished Moi's executive authority and strengthened their own (Opalo, 2016). These included Parliament taking a lead role in budgeting, reforming its internal rules, and strengthening the committee system (Barkan, 2008). In fact, opposition refusal to approve the 1997 fiscal year budget almost led to the automatic dissolution of Parliament and a necessitated early call for elections. Opposition MPs further initiated multiple waves of constitutional reform and thwarted Moi's attempt to abolish term limits and serve indefinitely.¹⁸

At the same time, the beginning of electoral competition weakened the already fragile ruling party. Moi's appointed Permanent Secretary for Provincial Administration and Internal Security (PAIS), one of the positions in the Office of the President and a core member of the inner cabinet, sums up:

once [multi-party elections began], Kenya really became multiparty. The sheer number of parties was ridiculous. So of course we were worried about defections; MPs would ask for state goodies [to stay in the party] so we would try to oblige.¹⁹

Internal splinters rose to the surface, as members had competing visions about the future of the party (Elischer, 2013; Hornsby, 2011). KANU did not have a clear policy platform, a popular track record from previous decades, or a well-endowed base that could fund campaigns (Throup & Hornsby, 1998). With the introduction of economic austerity measures mandated by international development partners, the party was limited in its ability to tap state coffers to help its MPs win reelection (Van de Walle, 2001). Furthermore, the simultaneous privatization of the banking sector allowed MPs to find avenues outside of KANU to finance their campaigns (Arriola, 2012). Many KANU MPs defected to opposition parties, which had easier nomination processes or promised financial resources for candidates (Kanyinga, 2000).

Table 2. Kenya's Administrative Structure.

Unit	Administrator	No. by 1992
Province	Provincial commissioner (PC)	8
District	District commissioner (DC)	47
Division	District officer (DO)	236
Location	Chief	1,325
Sublocation	Assistant chief	3,945

This table lists Kenya's administrative units in order of descending size and the administrative officer within the PA for that unit.

Defections were even a threat in KANU's strongholds. The party's most popular MPs had cultivated local personal followings (Opalo, 2016) and deep clientelistic networks to support their reelection bids and could thus expect continued constituency-level support even if they switched parties (Lynch, 2011; Ombongi, 2000).²⁰ In fact, presidential candidates recognized voter willingness to split their tickets and began urging supporters to vote for their party MPs too so that they would have a cooperative legislature.

At the same time, Moi preferred stopping the defection of KANU MPs to corraling support from non-KANU MPs once they reached the legislature because of their higher "cost." For instance, Parliament passed the 1997 budget in part because of Moi's co-optation of opposition MPs. But that support did not come cheap. One opposition MP was accused of having gone to State House—the executive residence—the day before the vote and receiving a large bribe and acres of prime land.²¹ Although it was possible for Moi to co-opt opposition legislators in the legislature, it clearly proved expensive to do so.

Parliament was not the only place where executive–legislative relations shaped politics during these years. Politics at the local level were also molded by the interaction between legislators and the executive branch, made possible by the Provincial Administration (PA), Kenya's five-tier administrative system and executive bureaucracy (see Table 2). We focus our analysis on lower tiered administrative "locations" and "sublocations" and their respective bureaucratic officers, "Chiefs" and "Assistant Chiefs." We note that while chieftaincy positions in other parts of Africa are hereditary or serve a large cultural purpose, these are appointed positions in Kenya that serve a wholly bureaucratic function (their title is a holdover from the colonial period). We focus on these units for two reasons. First, these are the only Kenyan administrative units that fit within political constituencies, and thus

are within the scope of the theory. At the start of our study, each constituency averaged 5.85 locations and 18.90 sublocations. Second, the administrators who run them are the only administrators who are stationed in the area for their entire careers. All other PA officers are rotated across stations in part to stop them from becoming entrenched in an area.

These bureaucrats are tasked with running their jurisdiction and “knowing” its residents. Chiefs and assistant chiefs must be from the jurisdiction they serve and thus, speak the vernacular, are familiar with local customs, and can tap into family and ethnic networks. Chiefs and assistant chiefs use this local knowledge to disseminate information from the central government to residents, provide basic administrative services, help identify recipients for government benefits, and provide security in their jurisdiction.

Important to note is that the creation of new administrative locations and sublocations does not entail a large financial windfall to the area.²² Instead, area residents value new units and their corresponding administrators because they make development efforts more efficient. With a new chief, area residents now have a leader who can coordinate their local development initiatives and who can serve as a liaison to the area MP (who often financially contributes to location-level projects and can lobby on the area’s behalf to central ministries). One resident of Machakos District discussed the mobilizing potential of chiefs in building a local health center, claiming,

The chief of course mobilized. Most of the [development] work is done by the area chief. They mobilize the community, they sensitize them on what they are supposed to do such as collecting building materials and stones [for constructing the facility] which are locally available . . . [and] chiefs organize for renovations to sustain the project.²³

One resident of Kirinyaga District argued that,

A chief knows your capabilities of leading others and so they can say “No, no, no—don’t choose this person [to lead a local development project]—he has a lot of problems, he has committed this offense.” Because [the chief] knows the area, he chooses the correct chairman and you know some development will happen! Even if the chief smuggles a bit, the construction will continue.²⁴

This second quote suggests that chiefs use their position to extract from the local population though these overall costs are outweighed by the resulting local benefits. Furthermore, as we discuss later, some of the money extracted from this petty corruption is remitted to the chief’s patron, the local MP.

MPs take a special interest in who fills these positions. MPs often lobby those government elites who run the interview process for local chiefs and assistant chiefs.

After the initial interview, MPs often personally visit the president or permanent secretary to endorse their preferred candidate who has the final say in who gets appointed.²⁶ After their appointment, MPs advocate for their chiefs and assistant chiefs to be promoted and earn a larger salary.²⁷

In return, chiefs and assistant chiefs are expected to use their authority to serve as the MP's local political broker. This often takes the form of helping the MP win reelection. For instance, one government elite complained:

Where an MP wants so-and-so to be chief or assistant chief he appoints the guy without reference to the qualifications of the guy. Now, when that particular person is appointed, his loyalty will go to the MP and when it comes to campaigning he will come out strong for that guy [the MP].²⁵

This brokerage relationship can begin before a chief is formally employed; residents in Kajiado District under President Moi's tenure complained that the local MP "instructed that anybody who does not belong to his political camp—even if he is qualified—not even attempt to apply [for the new chief's position] as it will be a waste of time."²⁸ Residents in Nandi District similarly complained that

during the recent general election [the individual] entered politics and campaigned for the area MP. He was head KANU coordinator in the location and the MP is now trying to reward him [by naming him chief] of our new location.²⁹

Residents in Laikipia District protested that "during the height of [the area MP's tenure] he imposed [a supporter] to be employed as senior chief even though he was illiterate. He became an agent for and is promoting the dictatorship of [the MP]."³⁰

Indeed, some MPs explicitly referenced the ability of new units to create political brokers, as one MP asked for new locations, "to help my constituents respond to those who are hostile to [me]."³¹ Still others referenced the expected development outcomes of unit creation (e.g., "to bring development closer to my constituents" or to "stop local banditry").³² And many interviewed MPs cited the benefits of these officers in local development coordination (see Note 4).

Chiefs and assistant chiefs also help MPs serve more personal goals, including extracting rents from the population. Chiefs and assistant chiefs are

notorious for skimming locally collected funds for the MP (as the above quote from Kirinyaga District suggests), charging area residents for fictional transgressions, collecting the subsequent fines, and remitting a portion of the money to the MP, as well as identifying and “grabbing” plots of land for local political elites.³³ This ability of MPs to use lower level administrators to further their own goals means that they stand to benefit from the creation of new units even if they are secure electorally.

Quantitative Analysis of Lower Level Unit Creation in Kenya

Data and Empirical Strategy

We create an original time-series data set of administrative locations and sublocations during President Moi’s tenure under multiparty elections (1992-2002). The data come from District Development Plans (DDPs), booklets produced by the central government about each administrative district, including the district’s lower level units (districts are two administrative levels above a location, three above a sublocation). We use DDPs produced in 1994, 1997, and 2002.³⁴ As described below, we use the 1994 DDPs to measure units in place as of the 1992 election. Some may be concerned that using the 1994 DDPs may introduce posttreatment bias for units created before the 1992 election, or may undercount units created from 1992 to 1997. In speaking with administrative elites from this period, however, the gathering of information for these DDPs occurred in the months before the December 1992 election.³⁵ Indeed, many of the 1994 DDPs explicitly say they use information from 1992. We obtain the country’s 1989 administrative units from the 1989 census. The number of locations increased from around 1,100 to 2,500 and the number of sublocations increased from 3,500 to circa 6,500 over our study period. We show this growth by constituency in Figure 1.³⁶

Our unit of analysis is the constituency period. We identify three periods corresponding to the three national elections that took place from 1992 to 2002: Period 1 includes the run-up to the 1992 election, Period 2 includes the years in between the 1992 and 1997 elections, and Period 3 includes the years after the 1997 election until the end of Moi’s final term in 2002. We use official reports on constituency boundaries to aggregate how many administrative locations and sublocations existed within a constituency during each campaign period.

Grossman and Lewis (2014) and Pierskalla (2016) argue that examining unit creation at a level of analysis above the unit being split risks ignoring subunit drivers of proliferation. In the Supplemental Information (SI), we

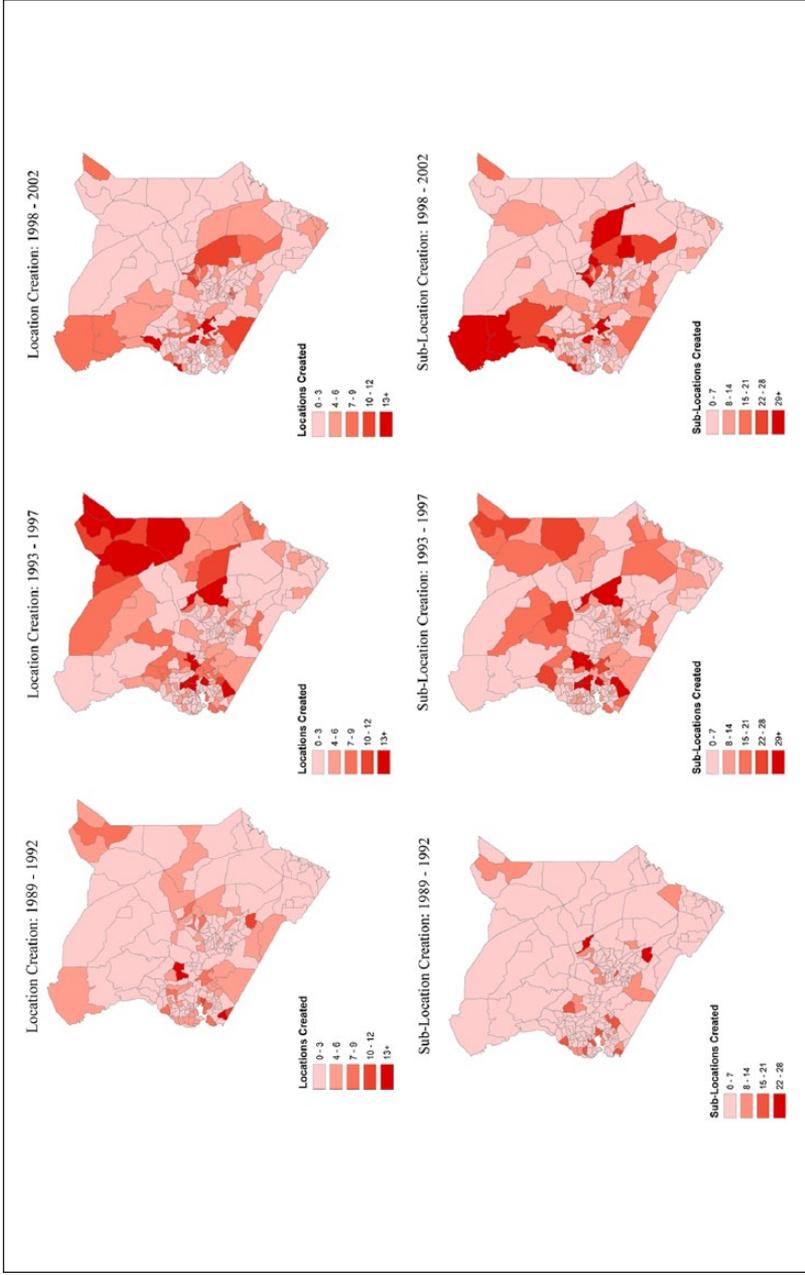


Figure 1. These maps give the increase in the number of administrative locations (top row) or sublocations (bottom row) by period.

attempt to remedy this concern by showing that subunit characteristics that previous work has shown drives higher level unit proliferation—ethnic heterogeneity (Pierskalla, 2016), the presence of local ethnic minorities (Hassan, 2016; Kasara, 2006), and local development (Grossman & Lewis, 2014)—were equivalent for split and parent locations in a sample of split lower level units. This strongly suggests that units were not created because of existing differences within the unit being split. Moreover, we believe that looking at the constituency level is appropriate for our analysis as our theory is about individual legislators.

In the following analyses, we use two dependent variables: the number of new locations and the number of new sublocations created in a constituency in a particular period. We run an ordinary least squares (OLS) regression and cluster standard errors at the district level to account for concerns about the independence of geographically proximate units.

We operationalize a KANU MP's local support in two ways. Using two separate measures of MP popularity helps ensure that we are capturing the individual MP's popularity, as opposed to KANU's or Moi's.³⁷ First, we look at the vote share of KANU MPs in the previous election (*KANUMPLaggedVS*). For this specification, we subset the data to only KANU MPs given the high level of correlation between whether a constituency had a KANU MP and the KANU MP's vote share (81%).³⁸ Second, we measure a KANU MP's support relative to other candidates in the constituency by interacting an indicator variable for whether a constituency was represented by a KANU MP in a given period (*KANUMP*) with the constituency's effective number of parties (ENP) in the previous election.³⁹ Our theory predicts that Moi created new units for KANU MPs who have strong independent followings (and thus could capitalize the most from defecting); therefore, we expect a positive coefficient on the lower order KANUMP term combined with a negative coefficient on the interaction term.

The regressions control for other factors that may have affected unit creation, including measures hypothesized to affect proliferation by existing literature. To control for whether new units were created in response to local ethnic diversity, the model includes the constituency's ethno-linguistic fractionalization measured with a standard Herfindahl index (*ELF*; Pierskalla, 2016). We include the percentage of residents in a constituency who were from Moi's larger pastoralist ethnic group—the KAMATUSA—to test whether Moi decentralized power away from his coethnic base (*KAMATUSA*; Green, 2010).⁴⁰ These two variables use ethnicity data from a 2.5% sample of the 1989 census, the most recent census before the beginning of our analysis.⁴¹ We test for marginalization (Grossman & Lewis, 2014) by including the percentage of residents that have access to piped water (*Piped*).⁴² We include

a dummy variable indicating whether the constituency's MP was a cabinet member (*Cabinet*).⁴³ To test whether the creation of lower level units was driven by administrative factors, we include the log of the constituency's 1989 population and area in square kilometers (*lpop* and *lsqkm*). We also include the number of units in the constituency in the period leading up to unit creation to control for initial variation (*UnitsBaseline*). We include a dummy for whether a constituency split (*ConstituencySplit*) for regressions that look at Periods 2 and 3, as new constituencies were created in 1996.

In the SI, we also control for ethnicity in two additional ways. We test whether new units were created for minority ethnic groups by including a dummy variable for those constituencies whose largest ethnic group differed from the rest of the district, and thus was likely marginalized. We also include the percentage of each constituency's largest ethnic group. We do not include these variables here for fear of double counting with *ELF*.

Results: Units for Strong KANU Legislators

The results, listed in Table 3, provide strong evidence that President Moi created new administrative locations and sublocations in constituencies dominated by KANU MPs who had strong local support. Looking at the first specification (columns 1-4), *KANUMPLaggedVS* is positive and significant in all specifications ($p = .12$ in column 1). KANU MPs could expect an additional five to six locations and 17 sublocations for each additional percentage in vote share they received in the previous election. Looking at the second specification (columns 5-8), the interaction term between *KANUMP* and *ENP* is significant and negative for almost all regressions, and the lower order term *KANUMP* is significant and positive. This indicates that KANU MPs in general were more likely to receive new lower level administrative units, and this likelihood increased as their constituencies were less contested.

To substantively interpret columns 5 to 8, we simulate expected quantities. KANU MPs who ran in constituencies with levels of *ENP* in the 10th percentile (1.00)—that is, unopposed—could expect an average increase of 5.61 locations (95% confidence interval [CI] = [5.45, 5.76]) and 14.30 sublocations (95% CI = [13.92, 14.67]) in Period 2, and 4.49 locations (95% CI = [4.36, 4.61]) and 10.29 sublocations (95% CI = [9.93, 10.64]) in Period 3.⁴⁴ On the contrary, KANU MPs in constituencies with the 90th percentile of *ENP* (2.71 in 1992, 2.66 in 1997) could only expect 2.96 locations (95% CI = [2.87, 3.04]) and 6.28 sublocations (95% CI = [6.07, 6.48]) in Period 2, and 2.08 locations (95% CI = [2.00, 2.16]) and 3.98 sublocations (95% CI = [3.73, 4.23]) in Period 3.

Table 3. Lower Level Administrative Unit Creation on KANU MPs' Local Popularity.

Units	1		2		3		4		5		6		7		8		
	Locs	SLS	Locs	SLS	Locs	SLS	Locs	SLS	Locs	SLS	Locs	SLS	Locs	SLS	Locs	SLS	
Period	2	2	3	3	2	2	3	3	2	2	2	2	3	3	3	3	
KANUMPLaggedVS	5.07 (3.26)	15.68 [†] (8.70)	5.97* (2.67)	17.27* (7.81)													
KANUMP					5.22* (2.32)	13.17* (5.62)	4.56* (2.04)									10.33 [†] (5.80)	
ENP					0.14 (0.46)	-0.57 (1.02)	0.16 (0.34)									0.65 (1.19)	
KANUMP × ENP					-1.70* (0.84)	-4.13* (2.04)	-1.61 [†] (0.88)									-4.45 [†] (2.59)	
KAMATUSA	-0.06 (1.87)	4.27 (4.91)	0.68 (1.36)	4.36 (4.69)	0.16 (1.91)	5.39 (3.97)	0.77 (1.34)									5.48 (4.63)	
ELF	2.37 (2.24)	-2.46 (6.66)	2.92* (1.44)	4.41 (5.33)	1.76 (1.89)	-0.66 (4.76)	1.88 (1.17)									-0.02 (4.41)	
Piped	-0.10 (1.61)	1.05 (2.72)	0.38 (1.50)	-0.09 (3.44)	-0.45 (1.29)	1.57 (1.92)	-0.68 (1.02)									-3.40 (2.36)	
Cabinet	-1.10 (0.95)	0.31 (3.00)	0.03 (0.79)	2.05 (2.37)	-0.58 (0.91)	1.14 (2.44)	-0.20 (0.65)									1.58 (1.97)	
Ipop	-0.46 (1.14)	3.37 (2.48)	2.10** (0.69)	5.04* (2.11)	-0.62 (0.96)	2.63 (2.02)	2.10*** (0.53)									5.74** (1.90)	

(continued)

Table 3. (continued)

Units	1		2		3		4		5		6		7		8		
	Locs	SLs	Locs	SLs	Locs	SLs	Locs	SLs	Locs	SLs	Locs	SLs	Locs	SLs	Locs	SLs	
Period	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	3
<i>lsqkm</i>	0.27 (0.37)	1.22 (1.09)	0.40 (0.32)	1.28 (1.08)	0.51 (0.31)	1.22 (0.84)	0.57 [†] (0.31)	1.22 (0.84)	0.51 (0.31)	1.22 (0.84)	0.57 [†] (0.31)	1.22 (0.84)	0.57 [†] (0.31)	1.22 (0.84)	0.57 [†] (0.31)	1.22 (0.84)	2.10* (0.98)
<i>ConstituencySplit</i>	7.05** (2.37)	14.42 [†] (7.34)	0.43 (1.01)	4.43 (4.75)	4.19** (1.33)	11.21** (3.40)	-0.11 (0.75)	11.21** (3.40)	4.19** (1.33)	11.21** (3.40)	-0.11 (0.75)	11.21** (3.40)	-0.11 (0.75)	11.21** (3.40)	-0.11 (0.75)	11.21** (3.40)	2.81 (2.72)
<i>LocsBaseline</i>	0.09 (0.14)		0.03 (0.07)		0.02 (0.12)		0.04 (0.07)		0.02 (0.12)		0.04 (0.07)		0.04 (0.07)		0.04 (0.07)		
<i>SLsBaseline</i>		-0.06 (0.12)		-0.12 (0.14)		-0.10 (0.08)		-0.12 (0.14)		-0.10 (0.08)		-0.10 (0.08)		-0.10 (0.08)		-0.10 (0.08)	-0.15 (0.11)
<i>Intercept</i>	2.68 (13.10)	-48.18 (32.02)	-29.25** (8.91)	-71.84* (27.94)	4.57 (10.29)	-33.27 (24.90)	-27.58** (6.79)	-71.84* (27.94)	4.57 (10.29)	-33.27 (24.90)	-27.58** (6.79)	-33.27 (24.90)	-27.58** (6.79)	-33.27 (24.90)	-27.58** (6.79)	-33.27 (24.90)	-73.87** (23.79)
<i>R</i> ²	.29	.27	.22	.16	.28	.35	.21	.16	.28	.35	.21	.35	.21	.35	.21	.35	.13
Number of observations	95	95	89	89	174	174	174	89	174	174	174	174	174	174	174	174	174

OLS regressions of number of new administrative units created in a constituency during a period on KANU MP's local support. Columns 1 to 4 measure local support as a KANU MP's local vote share in the previous election. Columns 5 to 8 measure local support as an interaction term between whether the constituency has KANU MP and the ENP in the previous election. Columns 1, 2, 5, and 6 examine unit creation during Period 2, columns 3, 4, 7, and 8 examine Period 3. The derivation of the variables is described in the text. Standard errors clustered at the district level. KANU = Kenya African National Union; ENP = effective number of parties; ELF = ethno-linguistic fractionalization; OLS = ordinary least squares.

† $p < .1$. * $p = .05$. ** $p = .01$. *** $p < .001$.

Results: Robustness Tests

We perform several robustness tests to show that, first, lower level unit creation was not driven by an attempt to directly benefit President Moi, and second, that it was not driven by other factors from those hypothesized here. They are presented and explained in greater depth in the SI. First, we rerun all models after subbing out legislator-level independent variables for the equivalent ones for President Moi to show that lower level unit proliferation was only directly linked to legislators. The independent variable using Moi's indicators of support are significant in only two of the eight models. These results indicate that, first, unit creation was not driven by Moi's direct reelection concerns, and second, bolster our argument that unit creation was driven by a KANU MP's individual popularity as opposed to the party's. Second, we examine whether lower level unit creation was due to a coattails or reverse coattails effect, but find little support for either. Third, we regress an area's change in vote share for Moi on the number of lower level units created in the preceding period and find no effect. We also run the number of lower level units created on an area's lagged vote share and find no significant relationship.

Fourth, we consider whether Moi created new lower level units to his core supporters, the KAMATUSA, who gave him the strongest support among Kenya's 40+ ethnic groups. The results indicate that Moi did create new lower level administrative units not only for his personal base and staunchest supporters but also for all KANU MPs who spanned many of Kenya's ethnic groups. Finally, we examine whether lower level unit creation was a residual of higher level district creation. We run the main models after controlling for whether an MP's constituency was part of a newly split district in the previous wave and find no relationship.

Examining the Effects: Preventing Party Defections

There is archival evidence in support of our mechanism: KANU MPs saw the creation of new units as patronage from the president, for which they did not defect from KANU. After submitting written requests asking for units, some MPs assured Moi that they would, "not tolerate acts of disunity."⁴⁵ Other MPs made this bond more explicit by leading delegations from their constituency pledging loyalty in return for units. Consider the following delegation's request from Isiolo District:

Your Excellency, we wish to express our sincere thanks to you. We assure you of our total loyalty to you, Your Government and the ruling party KANU . . . But we are lagging in development. It is our request that the number of

administrative units be increased by subdividing [list of locations and sub-locations].⁴⁶

Similarly, another delegation from Marsabit District asked, “It is requested your Excellency Sir, that additional administrative units be established. These are [list of locations and sub-locations]. In return, we wish to express our gratefulness and to confirm our total commitment to you.”⁴⁷

We attempt to examine this logic quantitatively, though we do so cautiously given the inference problems with this enterprise. We measure party defections in two ways. First, we code as our outcome variable whether a KANU MP sought reelection on the KANU ticket in the subsequent election (*KANUMPAndRanAsKANU*). Second, we code as our outcome variable whether a KANU MP defected from KANU (*KANUDefector*). For both specifications we rerun the analyses over those constituencies in which a sitting KANU MP sought reelection as well as the full sample.

Our main explanatory variables are a count of the number of new locations or new sublocations created in a constituency during the previous legislative session (*UnitsCreatedInPreviousPeriod*). For Wave 2 analyses, we also include the MP’s lagged vote share.

There may be concern about the introduction of post-treatment bias if these variables represent units created after MPs decided which party they would run for. Secondary research on these elections, however, indicates that MPs largely decided the party ticket to run on in the final 2 months before the election. This is because Moi made it politically costly for MPs to defect from KANU while Parliament was still in session. He stipulated that an MP had to be elected from her current party to hold a seat, and simultaneously refused to hold special elections for defectors. This meant that those who defected while Parliament was still in session lost their seat (and salary), influence, and created a power vacuum in their constituency that rival candidates could capitalize on. Instead, MPs largely stayed in KANU until Moi dissolved Parliament, just months before each election (Throup & Hornsby, 1998). Similarly, Elischer (2013) claims that campaigning for elections did not begin “in earnest” until the November before each December election (p. 43).

The results of this analysis are reported in Table 4 and provide suggestive evidence that the creation of new lower level units in the run-up to an election influenced MPs to stay on the KANU ticket. Nine of the 12 specifications indicate that an increase in lower level administrative units is associated with a significant increase in likelihood that a KANU MP subsequently runs on the KANU ticket. Columns 1 and 2 are significant at $p = 0.11$ and column 9 is signed in the correct direction.⁴⁸ We plot the associated predicted probabilities

Table 4. Lower Level Administrative Unit Creation and Party Defections.

Model	KANUAndRanAsKANU						KANUDefector					
	1	2	3	4	5	6	7	8	9	10	11	12
Units	Locs	SLs	Locs	SLs	Locs	SLs	Locs	SLs	Locs	SLs	Locs	SLs
Wave	1	1	2	2	2	2	1	1	2	2	2	2
LocsCreatedInWave	0.13 (0.08)		0.20 ^{***} (0.07)		0.15* (0.07)		-0.21 [†] (0.11)		-0.26 [†] (0.14)		-0.27* (0.14)	
SLsCreatedInWave	0.06 (0.04)	0.06 (0.04)		0.07 [†] (0.04)		0.06 [†] (0.03)		-0.03 (0.04)		-0.08 [†] (0.05)		-0.08 [†] (0.05)
KANUMPLaggedVS			-0.86 (1.52)	-0.99 (1.69)	2.43* (1.08)	2.35* (1.15)			14.80** (4.77)	13.62 ^{***} (3.56)	16.97** (5.46)	15.68 ^{***} (4.16)
KAMATUSA	0.13 (0.39)	0.12 (0.38)	-0.15 (0.78)	-0.35 (0.75)	-0.47 (0.84)	-0.88 (0.77)	-2.13 (1.46)	-2.13 (1.44)	-2.88 (2.85)	-2.78 (3.43)	-3.14 (2.85)	-2.96 (3.21)
ELF	-0.38 (0.81)	-0.58 (0.82)	-0.31 (1.12)	0.36 (1.03)	-0.04 (1.11)	0.65 (1.03)	1.00 (1.27)	1.20 (1.29)	2.66 [†] (1.50)	2.08 (1.59)	2.63 (1.88)	1.98* (0.95)
Piped	-0.51 (0.61)	-0.77 (0.76)	-1.23 (0.92)	-1.14 (0.85)	-0.94 (1.15)	-0.95 (1.21)	-0.63 (0.82)	-0.52 (0.84)	8.32 [†] (4.85)	6.63 (4.72)	9.10 [†] (5.50)	7.57 (4.78)
Cabinet			1.80 ^{***} (0.64)	1.61* (0.67)	2.33 ^{***} (0.59)	2.15 ^{***} (0.62)			-3.34* (1.42)	-3.11 ^{***} (0.93)	-3.29* (1.54)	-2.92 ^{***} (1.00)
Ipop	-0.05 (0.32)	0.07 (0.34)	-0.51 (0.58)	-0.68 (0.56)	-0.38 (0.49)	-0.66 (0.50)	0.44 (0.56)	0.26 (0.54)	8.21** (2.51)	7.49** (2.28)	8.82** (3.22)	7.68** (2.82)

(continued)

Table 4. (continued)

Model	KANUAndRanAsKANU						KANUDefector					
	1	2	3	4	5	6	7	8	9	10	11	12
Units	Locs	SLs	Locs	SLs	Locs	SLs	Locs	SLs	Locs	SLs	Locs	SLs
<i>Isqkm</i>	0.04 (0.16)	0.08 (0.14)	0.18 (0.20)	0.22 (0.17)	0.27 (0.21)	0.27 (0.19)	-0.09 (0.24)	-0.18 (0.23)	-0.03 (1.10)	-0.07 (0.98)	-0.05 (1.11)	0.02 (0.84)
<i>ConstituencySplit</i>			-2.17* (0.98)	-1.61 (1.43)	-1.68† (1.00)	-1.51 (1.48)			0.80 (1.07)	0.32 (1.23)	0.31 (0.93)	0.52 (0.93)
<i>LocsBaseline</i>	-0.03 (0.07)		0.07 (0.07)		0.02 (0.07)		-0.04 (0.09)		0.14 (0.21)		0.15 (0.18)	
<i>SisBaseline</i>		-0.02 (0.02)		0.02 (0.03)		0.02 (0.03)		0.01 (0.03)		-0.07 (0.08)		-0.05 (0.07)
<i>Intercept</i>	0.25 (4.18)	-0.99 (4.29)	3.32 (7.34)	5.18 (6.91)	-1.17 (5.85)	1.73 (5.73)	-5.52 (7.13)	-3.41 (6.73)	-110.88** (34.84)	-98.22*** (33.82)	-119.97*** (44.39)	-103.41* (40.62)
Number of observations	175	175	95	95	175	175	175	175	95	95	175	175

Logit regressions of KANU defections on new administrative units created in a constituency during the wave. Columns 1, 2, 7, and 8 examine defections in the run-up to the 1992 election, the remaining columns examine defections in the run-up to the 1997 elections. The first six columns use *KANUAndRanAsKANU* as the dependent variable. The last six columns use *KANUDefector* as the dependent variable. The derivation of the variable is described in the text. Standard errors clustered at the district level. KANU = Kenya African National Union; ELF = ethno-linguistic fractionalization.

†*p* < .1. **p* = .05. ***p* = .01. ****p* < .001.

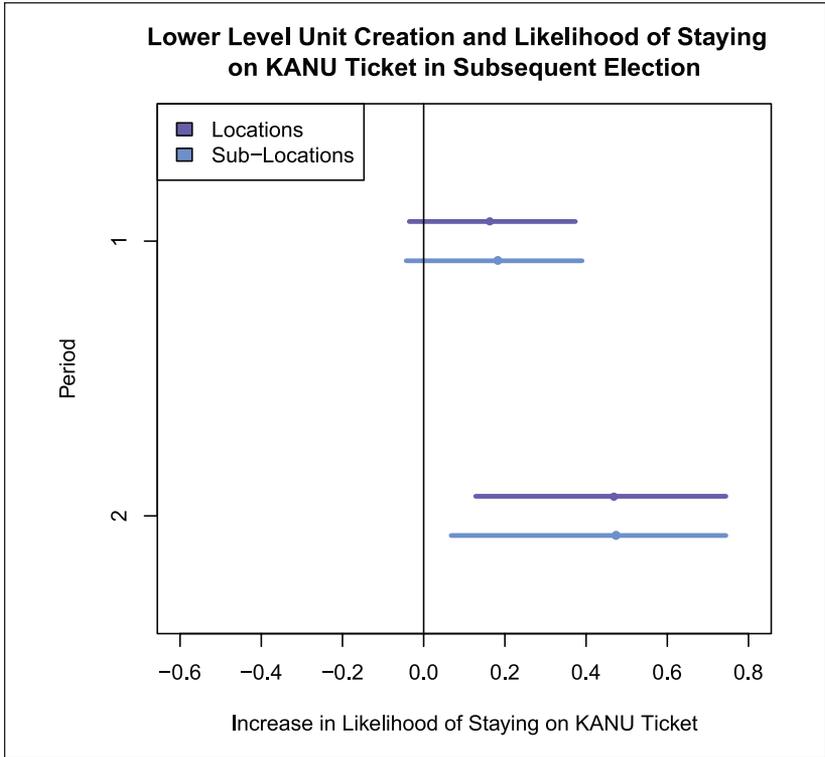


Figure 2. This plot gives the increase in likelihood of a KANU MP staying on the KANU ticket for the subsequent election after increasing the number of lower level units in their constituency from the 10th to the 90th percentile. Results for locations are in light blue, results for sublocations are in dark blue. These quantities are simulated using columns 1 to 4 of Table 4. KANU = Kenya African National Union.

for columns 1 to 4 after increasing the amount of locations or sublocations from the 10th to the 90th percentile in Figure 2. We estimate that lower level unit creation led to a 9 to 25 percentage point decrease in the likelihood of a KANU MP defecting.

Substantively, these results mean that KANU’s slim numbers in Parliament would have slipped without Moi’s use of lower level unit creation, and that KANU may have lost its legislative majority. KANU would have captured only 48.0% of the legislature without any location creation in 1992 (95% CI = [45.0%, 51.1%]) and 47.2% of the legislature (95% CI = [44.5%, 49.3%]) in 1997. The substantive interpretation for the counterfactual Parliament

without sublocation creation is similar: In 1992, KANU would have kept only 48.6% of the legislature (95% CI = [46.3%, 50.1%]), and in 1997, they would have slipped to 42.1% (95% CI = [37.5%, 48.5%]).

Extending Past 2002

Our empirical analysis ends in 2002, largely because of data availability. However, the number of lower level units in Kenya continues to increase: The number of locations and sublocations stood at 2,725 (from 2,500 at the end of Moi's tenure) and 7,200 (from ca. 6,500), respectively, in 2009. Furthermore, qualitative evidence suggests that many of the dynamics we find here continued under the country's next president. One opposition MP corroborated that new lower level units went largely to MPs in the ruling party:

I have requested the government [for a list of new lower-level administrative units]. The Ministry [verbally agreed] but they have not been granted. I've followed it up, written letters and so far they have not taken action . . . all that I can say is that many other member of Parliament have made requests [for lower-level units] and they have been granted. The only reason that they have never responded to my letter is because I'm in [the opposition].⁴⁹

While we cannot empirically link lower level unit creation to government strongholds or to defections away from the ruling party, the circumstances around Kenyan lower level unit proliferation after 2002 resemble those under President Moi.

Conclusion

This article provides a novel theory for the creation of lower level administrative units. New lower level units serve as patronage to area residents and provide the area legislator with a new political broker. Presidents create these units to minimize the risk of losing a legislative majority as well as to co-opt legislators in the party, factors that decrease the probability of facing legislative constraints on executive power. When the president presides over a weak party, lower level unit creation can also prevent legislators from defecting from the party.

We find evidence in support of our argument in the decade after Kenya's return to multiparty elections, where the number of lower level units doubled. President Moi doled out new administrative locations and sublocations to MPs in his party, and especially those who were at the highest risk of defecting. We

estimate that the preemptive creation of these units was associated with as much as a 25% decrease in defections from KANU. This result is substantively important—The expected increase in KANU defections without lower level unit proliferation in either the 1992 or 1997 election may have led KANU to lose its legislative majority and allowed for greater legislative constraint on President Moi. Although these are geographically small units, they had a significantly large impact on Moi's ability to maintain control over the legislature after the end of one-party rule and the emergence of elected opposition elites.

The theory has wide applicability and has the potential to explain bouts of lower level unit proliferation outside the case examined. Consider neighboring Tanzania's 7% increase in lowest level administrative villages over the past decade to almost 18,000 today. This increase has coincided with the ruling Chama Cha Mapinduzi's (CCM) decline and the defection of many MPs away from the party. Each unit's local administrator ("village executive officer") is widely considered a political broker for the local MP, using their authority to stop opposition candidates from securing a foothold in the constituency. In Malaysia, the number of districts has increased by about 10% over the past decade, with each district having up to 24 councillors who are assigned to an individual subdistrict area. There, councillors are perceived to be agents of those subnational elected elites that helped get them appointed at either the federal or state level (Siti-Nabiha & Salleh, 2013). Malaysia, too, has seen a decline in its ruling party, with party defections growing in frequency. Or consider the Philippines, where parties have been weak since the fall of Marcos' Liberal Party in 1986. The number of *barangays* has increased over the past decade to more than 42,000 today. Barangay leaders are elected locally, but they end up becoming brokers for higher subnational political incumbents (e.g., mayor, MP, governor) who have the resources to get the barangay leader elected in the first place (de Dios, 2007). For these cases and many others, future research should test the linkages we propose about executives, subnational elites, and lower level unit creation to refine the theory we propose here.

More broadly, this article links research on territorial politics to a broader literature on the politics of executive–legislative relations in new democracies. New research, especially on Africa, has credited the strength of legislative institutions and opposition parties to the institutional legacies of one-party authoritarian rule (e.g., Arriola, 2012; LeBas, 2011; Opalo, 2016; Reidl, 2014). Our findings suggest that the strength or weakness of these veto players on the executive is a direct result of presidential action *after* the beginning of elections. We observe weak legislatures that are unwilling to constrain the executive precisely because they are dominated by the executive's party members who have been co-opted. Moreover, a president's co-optation of

strong individual legislators serves to further decrease elite incentives to invest in party organization, thus perpetuating existing levels of party weakness. In extreme cases, these tactics can entirely co-opt the legislature, perpetuating competitive authoritarian regimes, rather than allowing for a steady march toward robust democracy. For intergovernmental checks and balances to prevail, attempts to strengthen the legislature must be accompanied by reforms that limit executive power.

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Notes

1. See O'Dwyer (2006), Kasara (2006), Malesky (2009), Green (2010), Ayee (2013), Kimura (2013), Grossman and Lewis (2014), Lewis (2014), Hassan (2016), and Pierskalla (2016).
2. We calculate these numbers using data from Treisman (2002).
3. We discuss which subnational officials this theory is applicable to below. However, we theorize unit creation for legislators in particular because of the wide applicability across cases.
4. This prediction contrasts much of the existing literature on the creation of higher level units, which finds that executives create new units in areas where they face threats from the opposition (elite, electoral, or otherwise; see Green, 2010; Hassan, 2016; Kasara, 2006).
5. The principal administrative tier in Vietnam is the highest subnational tier, provinces (Malesky, 2009); in Ghana, Indonesia, and Kenya, the principal administrative tier is the second highest subnational tier (of as many as six; Ayee, 2013; Kasara, 2006; Pierskalla, 2016).
6. This argument is made by much of the literature. See Kasara (2006), Green (2010), Ayee (2013), Kimura (2013), Grossman and Lewis (2014), Lewis (2014), and Pierskalla (2016).

7. This second scope condition allows for a theory that connects the career trajectories of local-level bureaucrats to the executive via the subnational elite. It also highlights how lower level unit creation is a distinct phenomenon from other kinds of territorial politics, such as decentralization to elected local governments in Latin America (Eaton, 2004; Falleti, 2010; O'Neill, 2005). Lower level unit proliferation does not necessarily entail any devolution of authority away from the center, as opposed to the administrative decentralization reforms experienced in Latin America (Falleti, 2010), and instead, more closely resembles “deconcentration,” what Boone (2003) defines as the spread of the central state into increasingly rural areas.
8. In some cases, these local-level administrators are elected. Many of the dynamics we theorize will hold so long as these elected leaders look to their local legislator for resources.
9. Even if there is some planning at higher levels for local development projects, local administrators are consulted to ensure that the project is feasible and will have the intended impact.
10. Koter (2013) discusses community leaders with moral authority as opposed to administrators, but the same logic will likely hold so long as the local administrator is sufficiently embedded, as Tsai (2007) shows in rural China.
11. Even those legislators who are fairly secure in their position benefit from the creation of new lower level units as they now have to spend relatively fewer of their own personal resources to ensure that a viable challenger does not emerge.
12. Indeed, Arriola et al. (2016) suggest that the particularistic benefits—say, for instance, new lower level administrative units—that a president of a weak party can offer may potentially offset some of the negative externalities of the weakness of her party.
13. We note that our model differs from that of party switching presented by Desposato (2005). We argue that in weak party systems, legislators do not threaten to switch parties as much as they threaten to defect from their current party to start a small splinter party. None of the large parties can offer the legislator financial support, but a legislator can set herself up to caucus with her former party if she creates a splinter party. Thus, the relevant quantity is not so much the level of resources that a new party can offer a legislator, but instead, the level of resources that a legislator can gain from the ruling party by promising not to defect *ex ante* relative to the amount of resources she can extract from the president after she defects.
14. Presidents will not undermine the relationship between the legislator and lower level unit administrator unnecessarily. If a president does undermine this relationship for a legislator who has not reneged (or defected), the legislator has little incentive *not to* renege (or defect) in the future.
15. Legislators still value administrative units as a patronage good, even though it ties them to the president, due to a tendency to place extreme emphasis on their short-term political survival. As we note below, this is especially true in moments of political transition, such as the beginning of multiparty elections.

16. Indeed, this logic of short-term survival over long-run consequences has been argued as a motivator for higher level unit creation too: Green (2010) finds that district creation in Uganda has been driven by Museveni's attempt to co-opt opposition leaders. Yet, by giving opposition leaders their own district, Museveni empowers these leaders by allowing them to, in the long run, grow their local clout and become locally entrenched.
17. That said, there may exist a connection between unit creation at higher and lower tiers of the state. Indeed, at least 70% of countries listed in Table 1 have experienced unit creation at a higher tier of government. It is possible that there is a "snowball" effect where a president's creation of new administrative units suggests that her executive power can be stretched to create units at other tiers of the state. Even though unit creation is explained by different factors at different tiers, presidents who have the ability to create new units "supply" them when it is to their advantage.
18. Parliament was not able to pass a new constitution under Moi, but did pass amendments that limited executive authority (Cottrell & Ghai, 2007). The legislature was not able to pass stricter restrictions on the executive, however, because Moi had co-opted many members of Parliament (MPs; Hornsby, 2011).
19. Interview with former permanent secretary (1991-1996), October 18, 2015.
20. Indeed, some of the president's coethnic MPs defected, despite strong levels of local support for Kenya African National Union (KANU; Lynch, 2011).
21. Kenya National Assembly Official Record (Hansard), June 1997, pp. 980-990.
22. Development money was allocated at the district level; money was not earmarked for each lower level administrative unit.
23. Interview with resident, Machakos District, Kenya, November 1, 2011.
24. Interview with resident, Kirinyaga District, Kenya, November 15, 2011.
25. Interview with former District Commissioner (DC) under Moi, January 12, 2012, Nairobi, Kenya.
26. Letter from the Ogiek Peoples, Trans-Nzoia District to DC. February 2, 2011, Rift Valley Province Headquarters (RVPHQs), Nakuru, Kenya.
27. Interview with then MP of Kirinyaga, January 25, 2012, Nairobi, Kenya. Interview with then MP of Narok, March 12, 2012, Nairobi, Kenya. Interview with then MP of Samburu, March 15, 2012, Nairobi, Kenya. Interview with then MP of Bomet, April 1, 2012, Nairobi, Kenya.
28. Letter from residents of Bissil Location, Kajiado District to DC, November 9, 2000, RVPHQs.
29. Letter from residents of Chepkumia Location, Nandi to DC, September 18, 2003, RVPHQs.
30. Letter from residents of Kinamba Location, Laikipia to DC, October 9, 2003, RVPHQs.
31. Letter from MP Amagoro to Western Provincial Commissioner (PC), May 9, 1996, Folio DB/23/47.
32. The claim that location/sublocation creation would increase local development and security was stressed in many letters referenced above.

33. Letter from residents of Olegureone Division, Nakuru to DC, October 5, 2000, RVPHQs. Letter from residents of Kitale Division, Trans-Nzoia to DC, October 12, 2001, RVPHQs.
34. District Development Plans (DDPs) were unavailable for one district in 1994 and two districts in 1997. We remove these districts from the analysis. We could not identify all DDPs in 2002; for those districts, we use lower level units from the 1999 census.
35. Interview with permanent secretary of Provincial Administration and Internal Security (PAIS; 1991-1996), July 1, 2012, Nairobi, Kenya. Interview with PC (1992-2003), February 2, 2012, Nairobi, Kenya. Interview with then deputy secretary of PA, October 13, 2011, Nairobi, Kenya.
36. We present summary statistics for the variables in the main regressions in the Supplemental Information (SI).
37. These measures are not highly correlated; 51% for Wave 2, and 53% for Wave 3.
38. In the SI, we rerun the analysis over the full sample of MPs and find substantively similar results. We also rerun the analysis after controlling for Moi's local popularity.
39. Effective number of parties (ENP) is calculated according to Laakso and Taagepera (1979).
40. The KAMATUSA are the four "indigenous" pastoralist ethnic groups of Moi's home province—the *Kalenjin*, *Maasai*, *Turkana*, and *Samburu*—who had supported Moi since independence (see Horowitz, 2015, on ethnicity and political behavior in Kenya).
41. We aggregate ethnicity information at the sublocation level to create constituency-level figures.
42. This variable is also from the census sample. The census also has other potential measures of marginalization, but they are not prevalent among the population.
43. We are unable to find cabinet information for Period 1 (pre-1992).
44. We hold all other variables at their mean for simulations.
45. Letter from MP Runyenjes to district officer (DO) Manyatta, August 15, 1991, Folio BB/11/140.
46. Letter from Isiolo Leaders to President Moi, March 28, 1994, Folio BB/11/140.
47. Letter from Marsabit Leaders to President Moi, March 28, 1994, Folio BB/11/140.
48. The defection of a KANU MP did not affect Moi's vote share in the constituency (SI). This is in line with research that voters in weak party systems are willing to split their ticket and our argument that legislative defections did not directly affect Moi's vote share.
49. Interview with MP, March 1, 2012, Nairobi, Kenya.

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