

District Creation in Kenya Under President Moi

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Abstract

In this chapter, I look at one form of decentralization that has been gaining popularity since the early 1980s – administrative unit proliferation, or the creation of new administrative units at higher rates than traditional administrative reasons suggest. Existing literature posits a local demand or patronage logic to explain this phenomenon. One overlooked aspect, however, is the effect of regime change. I argue that as countries transition towards democracy, new administrative units help a leader secure electoral votes in two ways: first, new units act as patronage. Local residents view new units as a gift directly from the leader and disproportionality benefit local leaders who are better able to broker votes in an upcoming election. Second, unit creation increases the spread of government officers who can coerce the population during elections. To evaluate this theory I turn to Kenya, where President Daniel arap Moi almost doubled the number of districts during Kenya's first 10 years after the introduction of multi-party elections in 1992. Despite persistent demands for districts under Kenya's previous one-party regime, I find that Moi only created new units in the run-up to his two re-election campaigns and primarily among swing areas.

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1 Introduction

The extent of changes to the state administrative institutions of recently democratizing countries is staggering. International organizations have been pushing decentralization reforms since the early 1980s in the hopes of reducing the size and power of central governments. Seemingly in line with this trend, since 1990 many third-wave democratizers across the globe from Indonesia to Slovakia, Vietnam to Poland as well as more than 20 countries in sub-Saharan Africa have increased the number of their country's sub-national administrative units.¹ Exemplifying these change is Kenya where the number of administrative districts has increased seven-fold since the beginning of multi-party elections in 1992.² While these reforms are often cloaked in decentralization rhetoric promising to give power to more local levels, they have the potential to increase the central government's control over the periphery.

Historically, leaders with strong executive power have shaped the state administrative apparatus – those institutions that govern a country – in response to the most serious threats to their rule.³ I extend this logic to incorporate the new political threats that leaders of newly-democratizing countries face. Looking at sub-Saharan Africa, for example, between 1989-1991, twenty-one African countries adopted political reforms aimed at increasing plurality and political competition (Bratton and van de Walle, 1992) and by the end of the decade more than 44 countries had held founding elections (Lindberg 2006); whereas before the vast majority of the region's authoritarian rulers saw the greatest threats to their survival from political and military elites, the sudden onset of multi-party elections threatened a president's tenure through popular elections (Posner & Young 2007). Yet despite movements towards political liberalization, many of these presidents maintain strong executive power over their state. Faced with competitive elections, I argue that these leaders re-shape key institutions to help ensure their hold on power.

In this piece, I use a study of a single case, Kenya, to trace how regime change drove unit creation.

¹See Malesky (2009) for the Vietnam case, see Pierskalla (2011) for the Indonesian case, see O'Dwyer (2006) for information on Poland and Slovakia. I compile the information on African unit increases from the United Nations Second-Administrative Level Boundaries Project, secondary sources on individual country cases, and the Statoids Project. I return to this issue in a later chapter of my dissertation.

²Kenya had 41 administrative districts before 1992. The 2009 census lists Kenya as having 286 districts.

³Instead of building states intended to streamline efficient governance, leaders build states that best meet their political goals. This is a common and underlying theme within state building literature across medieval Europe (e.g., see Tilly 1985, Ertman 1997, Ziblatt 2006, Suleiman 1974) or the Near East (e.g., see Barkey 1997, Wittfogel 1981), late 19th-century Latin and North America (e.g., see Centeno 2002, Skowronek 1982), and post-independence former colonial states (e.g., see Waldner 1999, Herbst 2000, Boone 2003, Slater 2003, Slater 2010).

While work on administrative unit proliferation has suggested a patronage (Kasara 2006, Green 2010) or local demand explanation (Grossman & Lewis Forthcoming), I argue that new units are driven by a leader's attempt to maintain political power in an era of electoral competition. Faced with new threats and a state built under a different regime, presidents with strong executive power must re-equilibrate the state they already have to best ensure power under new regime rules.

Within a regime that requires leaders to win a national election, an incumbent who wants to maintain power can rely on the state administrative apparatus to win votes through both an increase in enticement and coercion. First, new administrative units help a president entice swing voters because – while they are intended to improve local governance – their creation serves as a local public good through an increase in local infrastructure projects and public sector jobs. Second, the creation of new administrative units also increases the spread of centrally-appointed officers on the ground who can secure votes around election time through coercion. Plainly put, administrative units and their creation can meet additional purposes within different regimes.

I turn to Kenya's first decade after the beginning of multi-party elections in 1992 to illustrate these theoretical claims. Despite moving away from a one-party authoritarian regime in December 1991, President Daniel arap Moi (1978 - 2002) continued to wield significant executive power in his final two elected terms. During these years, he almost doubled the number of administrative districts – the primary locus of governance and development – from 41 to 71. These new districts cannot be explained by traditional administrative concerns such as population, levels of development, and area. I find strong evidence that elections spurred this proliferation: I present archival evidence that both of Kenya's presidents before 1992 had promised new units throughout the 1970s - 1980s. Contra to local demand and pure patronage explanations, however, yet in line with the theory presented, the center did not supply new units until six months before the country's first multi-party election in 1992.

To empirically evaluate the theory I utilize administrative officer returns, which document district proliferation as well as all centrally-appointed Provincial Administration (PA) officers. Collected at bi-annual intervals from 1990, I create a time-series dataset of the creation date and boundaries of each new district. I utilize these data in two separate analyses. The first is an analysis of the newly-created districts. I find that new districts were more likely to be created in swing areas where local elites could credibly deliver votes

for the president. I corroborate this empirical analysis with a case study on the creation of Tharaka-Nithi district.

The second analysis looks at the officers that govern these districts. I show that the PA grew in size throughout the country during Moi's last 10 years, particularly in new districts and during election years. This further suggests that President Moi – in an attempt to maintain power given the existing state he had – re-shaped the underlying state administrative apparatus in a manner to best secure his hold on power under this new electoral threat.

This paper proceeds as follows. I review existing literature on unit proliferation. I next present my theory on the role of regime change on changes to the state administrative apparatus. Then I give background information on the Kenyan case, before turning to an analysis of district creation under President Moi.

2 Literature Review

Decentralization broadly defined is a process in which a central government's organization changes in a manner that physically or procedurally gives power, resources, or responsibilities to agents outside the capital. Administrative unit proliferation is a form of administrative decentralization as it involves the presence of centrally-appointed administrators responsible for implementing national policy at an increasingly local-level. More specifically, administrative unit proliferation is a form of *deconcentration*, or a spatial decomposition of the state through the spread of centralized agents and state organs (Boone 2003).⁴ With each new administrative unit, the national government creates a central state outpost in an increasingly rural area. The central government has literally gotten "closer to the people" with more physical points at which a citizen and her state can interact.⁵

Beginning in the 1980s, Western donors and international financial institutions began proposing Structural Adjustment Programs (SAPs) aimed at remedying the economic stagnation of many developing countries (World Bank 1994).⁶ The World Bank's (WB) 1981 "Berg Report" argued that African adopted policies

⁴Boone (2003) distinguishes deconcentration from *devolution* which she defines as processual and refers to the amount of authority bequeathed onto different levels of government but does not classify. Both realms of administrative decentralization in the affirmative signify that state power is leaving the capital city but they differ in where and who receives that receding state power.

⁵Indeed, politicians who advocate unit proliferation often claim that this will bring "services closer to the people" or "democracy to the doorstep of the people." See for example, Ayee (2012) for this rhetoric in Ghana.

⁶In fact, Kenya was Africa's first country to take a SAP in 1980, aimed at linking future loans to government measures to reduce government spending, Kenya's debt and growing income inequality (Hornsby 2011).

that distorted the market and economic incentives, leading to the failure of past donor-driven development programs.⁷ In response, donor community began promoting adjustment programs that would decentralize central government power and reduce the size of the national state while simultaneously better aligning government services to local preferences (World Bank 1997, 2000). Administrative unit proliferation clearly fits within donor goals of decentralizing power away from the capital city.

These reforms, however, have often failed to live up to their promises. This form of decentralization in particular necessitates the creation of more central government offices and the placement of central government officers in increasingly rural and difficult to reach parts of the country. Within a centralized state, Boone (2003) argues that this type of decentralization leads to “usurpation” in which state agents are able to “rewire the circuits of local authority and micromanage local political process[es].” Thus, while the term “decentralization” often conjures images of more citizen participation and a relatively stronger periphery, administrative unit proliferation can actually increase the national government’s power over previously hard to reach places.

Fundamentally, understanding decentralization reforms as an attempt to meet relative efficiency goals implies that governments change state institutions primarily because of their intended improvements towards governance and public policy outcomes. This presents a strong institutional design explanation and fails to take into account the political incentives of the governments and leaders who initiate these decisions.⁸

A second explanation for unit proliferation is that new units are driven by local demand. Grossman & Lewis (Forthcoming) argue that local elites and citizens in marginalized areas – defined as areas with perceived or actual political, social, or material inequality – petition the national government for a new unit. They argue that the national government acquiesces to almost all demands because this type of decentralization has electoral benefits for the president. They conclude by examining district allocations and suggest that one effect of administrative unit proliferation is lower bargaining power for each unit and a re-centralization of power

Their argument, however, overlooks the rationale behind creating these new units. First, it is unclear as to what sparks the call for more districts. Indeed, political, social, and economic marginalization had

⁷For more on the Berg Report see Bates (2008).

⁸This critique is made poignantly by Boone (2003) who argues that actors’ preferences are indeed endogenous to the institutions themselves. What is missing from this literature on the study of the state is “logically prior theory of the more pervasive system of constraint and incentive within which leaders are forced to operate” (Boone 2003, 18).

presumably existed among communities long before district creation began. Second, they suggest that the impetus for new units is demand-driven yet such drastic changes to the state administrative apparatus are likely to be initiated from the top. Third, by assuming that unit creation is a demand-driven phenomenon we overlook the possibility that a re-centralization of power was the intended effect of unit creation. Moreover, budgets and fiscal bargaining power may be the wrong dimension over which to evaluate a re-centralization of power; lower-tier administrative units within Africa have long had low capacity, meaning that both their bargaining power and ability to implement independent programs was limited even before unit creation began.⁹

A third explanation for administrative unit proliferation is that new units serve as a form of patronage. In the context of weak party systems, leaders can mobilize popular support by creating or changing state institutions to deliver patronage to targeted areas. This strategy is useful when support is territorially based as administrative units only affect residents living within the unit. O'Dwyer (2006) finds that administrative unit proliferation upon the end of the Cold War in Poland and Slovakia was driven by large and unruly government coalitions. Smaller parties with regional followings and little national-level accountability doled out patronage sinecures to supporters in regional and local administrative offices. In understanding the variation, extent and timing of decentralization in Latin America, O'Neill (2005) finds that reforms follow a rational logic; political parties that did not expect to retain the presidency indefinitely but could plausibly win power at the sub-national level were more willing to enact decentralization reforms. In the short-run these decentralization reforms tie the hands of ruling parties. After they left power at the national-level these parties enjoy more sub-national autonomy than before.

Within sub-Saharan Africa, administrative unit proliferation as patronage takes on an ethnic logic as many ethnic groups are both geographically concentrated and vote as a bloc. Green (2010) situates district creation in Museveni's Uganda within the context of international calls for governance reforms that eliminated the many state institutions that Museveni had used for patronage prior. To make up for this sharp reduction in available rents, Museveni created sub-national administrative districts in opposition areas. Units created jobs for local populations that area elites could distribute, making it useful to gain the support of non co-ethnic areas and elites. Moreover, by framing it as decentralization, Museveni encountered little push

⁹This is one of the largest criticisms against decentralization reforms in African countries which have traditionally had weak capacity at the sub-national level. See Barkan & Chege 1989, Olowu 2003, Olowu & Wensch 2004.

back from the international community for what amounted to state-funded patronage (Green 2010).

In a similar vein, Kasara (2006) argues that President Moi created sub-national administrative districts to entice ethnic groups previously grouped with an opposition ethnic group. By engaging in these “divide and rule” tactics (Kasara 2006, 24), Moi won votes in opposition areas that he wouldn’t have otherwise. Kasara (2006) also argues that unit creation as patronage can help garner votes for both the president and sub-national politicians and finds districts were more likely to be created in areas represented by senior ministers in the president’s cabinet.

While the literature on state restructuring in the wake of electoral competition is growing, unexplored in this literature is the effect of the changing regime types of the past 25 years and the new political threats that leaders face. A cursory glance at administrative unit proliferation within sub-Saharan Africa in the recent past suggests a relationship between new units and regime type (see Table 1). By not recognizing the changing environment that leaders face when inaugurating these reforms, nor the full extent of change, existing studies cannot discern the underlying drivers for these reforms and ultimately fall short in understanding their effects on political outcomes in a more holistic way. In the section that follows, I press this relationship and explore the effect of regime change on the state administrative apparatus and state-building outcomes in an age of electoral competition.

[Table 1 about here.]

3 Theory

I propose examining changes within the state through the lens of a leader’s political survival. I first define the state administrative apparatus as a subset of the state. I then layout the relationship between regime and state, applicable to countries where the leader has strong executive control over the state apparatus as these are the countries where she can dictate changes to the state. I then focus specifically on the effect of competitive elections on the state, making this part of the theory applicable to hybrid regimes.

I contend that the state administrative apparatus is regime-specific. Definitions of the state, while often blurry, tend to include all central state ministries, regulatory and tax agencies, and even concepts of citizen-

ship.¹⁰ The state, in other words, includes all institutions that under-*grid* the functioning of the country. I define the state administrative apparatus as a subset of the state, and specifically, as those institutions that govern a country. These are the institutions that maintain law and order and include state structure and the internal security apparatus.¹¹ This definition excludes service and regulatory institutions, such as tax collection agencies and health services, and instead focuses on the institutions that determine the allocation of political power including between different tiers of government and different actors.

Leaders with strong executive control over the state apparatus shape the state to meet pressing short-term needs. Before weighing the long-run effects of a state reform, a leader needs to be secure in her short-run political tenure. The state administrative apparatus is often the most adept tool a leader has in ensuring her “staying power” because of its breadth and capacity in comparison to other potential avenues of control (e.g., political parties) (Slater & Fenner 2011). For this reason, we do not find efficient states that operate in the administrative, apolitical, Weberian ideal. Instead, when a ruler has strong executive power over the state, we observe the enactment of reforms that can be deleterious to the state’s long-run trajectory but useful in helping her face a pending political problem.

In the face of competitive elections, a leader’s largest threat is electoral and she needs to secure votes to maintain political power. How can administrative unit proliferation help a leader facing competitive elections? Similar to the logic in Boone (2011), I argue that multi-party elections affect how a leader utilizes the resources under her control. A leader can target relevant state institutions to better achieve coercion and enticement outcomes depending on each area’s local inclination towards the ruler. Beginning with enticement, new units serve as a form of targeted patronage to a specific area. This is largely because units are perceived to benefit the affected area (Green 2010, Kasara 2006). New units increase government resources in an area, promising to bring in a steady stream of central government funds and prompting an increase in the size of the local bureaucracy and service industry. New administrative hires will earn a central-government salary, injecting central funds into the local economy. Local construction projects will increase as the area begins to build new infrastructure to run a unit headquarters. Residents of the new unit will have less distance to travel to complete administrative tasks.

Supplying this patronage gift is especially helpful in swaying ethnic groups into one’s winning coalition.

¹⁰See for example, Ertman (1997), O’Dwyer (2006), Grzymala-Busse (2007), Centeno (2003), Slater (2010).

¹¹This definition borrows from Boone (2003).

Within ethnicized societies such as many African countries, many rural areas are populated by a single ethnic group with little ethnic mixing. Rulers have used this geographical reality to distribute patronage or punish ethnic groups through local public goods or policies.¹² Because a new unit only affects those within the unit, it acts as local public goods that tends to benefit one only ethnic community. Indeed, a ruler can target a new administrative unit to a specific community that she is trying to sway in the run-up to an election. A former officer in Kenya's Provincial Administration (PA) – the bureaucracy in charge of creating and governing units – recounts the logic behind the opening of Kuria District in 1993, where he was stationed at the time:

The Kuria [people] were wavering. By giving the Kuria a district, [Moi was] telling them - 'you are my people. Identify as a community loyal to me' to try and consolidate their support. To try and win support. The main reason then was the multi-party elections.¹³

The patronage relationship is amplified when the new unit comprises a local ethnic minority of the original, or "mother" unit. Whereas before a local ethnic minority is likely to get overlooked at unit-wide allocation decision, when the new unit is drawn to make them a majority, the ethnic group is ensured a flow of central government resources and a level of group autonomy in making unit-wide decisions. Previously marginalized ethnic communities will be grateful to the president for this new unit, and are more inclined to vote for him in both gratitude and expectation of a future gift. A new unit serves as a direct ethnic appeal from the leader to a community. Consider this testimony from a resident in Teso District which split from Busia District in 1995:

It was Moi [who created this district]. We said thank you. We thanked him very good – up to now we still recognize him. We still say if it were not for Moi we would not be having this district. We still say so! Because we see him as a founder of our district. We [still] send [delegations of] our elders [to his home] and our greetings through our councillors, our MPs. We are now very free – we are now people of our own.¹⁴

Unlike existing literature on unit creation, I contend that leaders are more likely to create units in areas that can solve the commitment problem. Similar to other patronage gifts, the patron finds it difficult to punish communities that renege and fail to vote for him. New units disproportionately benefit local elites

¹²For example, see Bates (1983), Kasara (2007), Burgess & Morjaria (2009), Kramon & Posner (2012), and Ichino & Nathan (2013).

¹³Author interview, former Provincial Commissioner, Nyeri, Kenya, January 17 2012.

¹⁴Author interview, Villager, Teso, Kenya, March 13 2012.

because they are likely to fill newly created positions of power within the new unit. A leader can better broker votes by strategically creating new units among areas where local elites have clout. These elites can in turn use their newly-created positions of power to help mobilize political support within the community for a candidate in the run-up to an election. Similar to Baldwin (Forthcominga), this argument moves past a simple “quid-pro-quo” logic and recognizes the influence that local elites have. A former Deputy Secretary in the PA explains this logic:

Once you had a district you had a party chairman - *he would rally his people to vote*. These votes for the [new district] are now guaranteed. If they were still part of the larger [original district] they would not have a chairman of their own. They were not likely to be in support of the chairman from [original district]. So they are likely to vote in a different way [than if] they had an entity of themselves. [There is] an element of political control in these administrative units. The main consideration was [a] political consideration.¹⁵

The above theory leads to three hypotheses about how a president with strong executive power over the state will dictate the creation of new units. First, administrative unit proliferation should be more likely in the run-up to an incumbent’s re-election campaign. Unit creation can help a president win votes only if the units are in place before the election. Second, a president will be reluctant to create administrative units everywhere; after an area receives a unit, the president is not guaranteed the area’s vote. More fundamentally, new units give local elites the opportunity to influence events. The center is thus reluctant to create new administrative units in opposition areas, where local elites can use their new powers in a manner against the president. In addition, the center is reluctant to devolve power unnecessarily such as within core parts of the president’s winning coalition. Instead, the center is more likely to create units in swing areas where the expected benefits of winning votes outweigh the costs of giving away power. Third, within ethnicized societies, a president will conform new unit boundaries to existing ethnic group homelands. This strategy not only allows the president to make a direct ethnic appeal to a community but helps local elites serve as better brokers, as area elites tend to not have more clout over co-ethnics as opposed to non co-ethnics.

A leader with strong executive power facing competitive elections can also use coercion to win votes. Unlike traditional gerrymandering of political boundaries, making new administrative units changes the relationship the state has with an area. While units tend to devolve some power to lower levels, they can

¹⁵ Author interview, former Deputy Secretary Provincial Administration and Internal Security, Nairobi, Kenya, November 21 2011. Emphasis mine.

re-centralize aspects of the state administrative apparatus through the deconcentration of central state officials.¹⁶ This means that new units can expect to see a higher presence of administrative officers. Loyal centrally-appointed officers of hybrid regimes can engage in “low-level coercion” (Levitsky & Way 2010) of “administrative tasks” (Taylor 2011) that hinder the opposition such as denying the opposition rally permits and refusing to register known opposition supporters as well as more “high-level coercion” (Levitsky & Way 2010) such as violent repression around election time to help a leader win the election.¹⁷ While this coercive aspect does not drive unit creation – indeed a strong executive can simply assign more officers to contested areas – it is a strong secondary motive.

More generally, changes in regime demand changes to the state administrative apparatus. Many aspects of the state administrative apparatus may not be relevant or adequate as a leader faces new challenges to his rule. Leaders of a new regime head a state administrative apparatus that was crafted to help the country’s leader stay in power under a different context. Upon a regime change, a leader is faced with a different manner in which to maintain political power and is likely to find the existing state inadequate. A leader with strong executive power, however, can re-shape certain aspects of the state administrative apparatus to best overcome new political threats.

4 Kenya – Background information

In the rest of this paper, I explore the above theory through an analysis of Kenyan district creation from 1992-2002. I first give a brief background of Kenya’s state structure. I then describe attempts at district creation in the period prior to multi-party elections, before giving an overview of district proliferation from 1992-2002. I conclude with a brief discussion of Kenya’s transition away from one-party rule in 1992.

4.1 The Kenyan State

The Kenyan state is centralized and unitary, organized into five administrative tiers. In order of size, these are the province, district, division, location, and sub-location. Each of Kenya’s eight provinces (save Nairobi) is

¹⁶For more on how deconcentration can lead to a re-centralization of power, see Olowu 2003, Olowu & Wunsch 2004. See Barkan & Chege (1989) for this within Kenya.

¹⁷This point holds to the extent that centrally-appointed agents are loyal to the regime and compliant to orders. Leaders, cognizant of this, often materially reward officers and choose co-ethnics or loyal supporters for these positions. When loyalty is unobserved, a leader may strategically appoint officers to reduce risk exposure.

dominated by one of Kenya's largest ethnic groups, where each community by 1989 did not make up more than 21% of the national population (see Table 2). Before 1992, each province contained between 3 - 11 districts.¹⁸

[Table 2 about here.]

By the early 1980s, Kenya was faltering on the international level. Like many African leaders, Moi intentionally strengthened the shilling to borrow money at a better rate to lower the price of loans and capital infrastructure equipment (Bates 1981). This overvalued exchange rate, however, made Kenyan goods more expensive on world markets. Kenya's GDP was not rising fast enough to meet its debt obligations, however, and between 1978 - 1983, Kenya's commercial debt increased from US\$35 million to US\$340 million (Hornsby 2011). The World Bank (WB) and International Monetary Fund (IMF) began negotiating the country's (and the continent's) first SAP in 1980, aimed at linking future loans to government measures to reduce government spending, Kenya's debt and growing income inequality.

It is within this environment that President Moi made districts the most relevant administrative tier. Whereas before, President Kenyatta (1963 - 1978) channeled development through the province level, President Moi inaugurated the District Focus for Rural Development (DFRD) in 1983. Moi appealed donors, promising that DFRD would equalize Kenyan development and especially the relatively poor arid and semi-arid portions of the country.¹⁹ Under DFRD the central government would allocate each district a lump sum of money to be used on infrastructure projects throughout the district. District allocations were determined by all political and administrative elites within a district at quarterly District Development Committee (DDC) meetings. In addition, recruitment for coveted public sector jobs – such as teachers, nurses, and police officers – occurred at the district level.

As districts became the tier at which centrally-allocated resources were divided, they took on a new-found political importance. Internal divisions within districts gained a political salience. In particular, local ethnic minorities within districts – defined as an ethnic group that is not the district majority – were easily overlooked and outvoted at district-wide allocations such as the DDC. A former administrative officer argued:

¹⁸This does not include Nairobi.

¹⁹See Bates 1983, Barkan & Chege 1989, Widner 1992, and Lynch 2011. I also make this argument in Chapter 3 of my dissertation.

In the DDC [the local ethnic minority] are outnumbered. President Moi was very quick in learning [this about] the district-based development programs – when you have two communities in one district, they don't like it. There would always be a bias towards the group that has the larger numbers. You would find that there would always be a bias in resource distribution.²⁰

Local ethnic minorities existed throughout the country. By 1989, 24 of Kenya's 41 districts had local ethnic minorities that comprised at least 7% of the district population (see Table 3).

Kenya's administrative units are governed through the Provincial Administration (PA) which assigns one executive administrator to each administrative unit. Provincial Commissioners (PCs) and District Commissioners (DCs) are presidentially-appointed and in charge of provinces and districts, respectively. District Officers (DOs) are in charge of administrative divisions, one tier lower than a district and are appointed by the Ministry of PA's Permanent Secretary, himself a presidential appointee. Tasked with providing "law and order" and coordinating government, the PA is a hierarchical, centralized bureaucracy with authority emanating from the periphery up to the president.²¹ PA officials coordinate central government policies and development programs radiating from the OP by bringing together relevant bureaucrats, funders, and community members. They arbitrate in local affairs ranging from land conflicts to marriage disputes. The PA's largest role since its founding under colonialism, however, has been to maintain domestic order and internal security.²²

The PA helped President Moi stay in power under his one-party authoritarian regime (1978 - 1992). Kenya's PA officers were far from the Weberian ideal, and instead officers were expected to use their authority to help the president and allied political elites by performing tasks from organizing rallies in support of the regime to actively hindering regime opponents. Officers collect intelligence information, including any potential political activity against the government and the party, the Kenya African National Union (KANU).²³

President Moi engaged in a number of strategies to create a loyal officer corps that was willing to engage in these coercive activities. First, Moi created a neopatrimonial relationship with these officers. Top officers

²⁰ Author interview, former Provincial Commissioner, Nyeri, Kenya, January 17 2012.

²¹ There is no formal delineation of the PA's duties in Kenya's first constitution. These duties are recorded on the Ministry's website, <<http://www.provincialadministration.go.ke/>>.

²² See for example Mueller 1984, Widner 1992, Anderson 2005b, Branch & Cheeseman 2007, Hassan *Forthcoming*.

²³ Widner (1992) explains the use of this system in the pre-multi party democracy era. She argues that Moi turned the country into a "party-state" in which the Office of the President issued directives and used the PA's command structure to ensure compliance. Lynch (2011) similarly argues that Moi expanded the duties of these administrators.

were well-remunerated in return for following commands (Bratton & van de Walle 1997). By 2003, senior officers earned more than 70,000 KSH monthly (900 USD in constant 2000 USD). This salary is relatively high given that Kenya's average GDP per capita in 2003 was less than 500 USD per year. Atop of official salaries, high-level officers in the PA are given significant state benefits.²⁴ President Moi and other elites within the Ministry of PA were moreover willing to overlook the abuse of officers' authority to enrich themselves (Hassan Forthcoming).

Second, the structure of the PA and the lack of accountability to other branches of government incentivizes officers to follow orders in the hopes of rising through the ranks to more lucrative positions. Despite numerous allegations, PA officers were not reprimanded so long as their actions did not harm the regime. Moreover, the crop of DOs is sufficiently large that promotion to a DC is not guaranteed; by 1992, there were 511 DOs and only 63 DC positions.²⁵ Rigidly following orders is seen by many officers as a way of advancing through the ranks and earning more prestigious (and lucrative) positions.

Third, Moi stocked the PA with his personal selections upon taking office in 1978. Moi replaced all of the country's eight PCs and close to half of the country's 41 DCs within one year of taking office. Only a half-dozen officers maintained their positions within the PA, the majority being his co-ethnic Kalenjin officers. By 1992, 25 of 46 the DCs had joined the PA *after* Moi came to power in 1978 and almost all were appointed to their first DC post by Moi himself.²⁶ Further, 12 of the DCs were Kalenjin, a serious over-representation given that they comprised only 11% of the population by 1989.

4.2 Transition Towards Multi-Party Elections

Western donors pressured Kenya into political and economic reforms, similar to other developing countries by the end of the Cold War. President Moi repealed the constitutional ban on opposition parties in December 1991, less than one week after Kenya's bilateral aid donors decided to suspend economic aid to Kenya as a condition for reforms. To pave the way for Kenya's transition to the first multi-party elections in a quarter-century, parliament drafted the country's electoral rules. Most importantly for this paper, they imposed a

²⁴The Ministry allocates each DC a land rover, and houses them in an official residence. DCs working in one of the countries arid or semi-arid districts receive a "hardship allowance." Top officers are allocated a monthly entertainment budget that can top 60,000 KSH (around 725 USD) per month. Author interviews, Kenya, June 2011 - July 2012.

²⁵There were more DC positions than there were districts because some DCs worked in a provincial headquarters serving as a personal assistant to the PC.

²⁶Please see Chapter 3 of my dissertation for more on the composition of the PA before the beginning of multi-party elections.

two-term limit on presidents and decided that a successful presidential candidate had to win a plurality of the votes and at least 25% of the vote in five of Kenya's eight provinces. This "25% rule" was seen as difficult to achieve given each province's domination by a different ethnic group.²⁷ A successful candidate could not rely solely on votes from her ethnic community to win and would be required to create a multi-ethnic minimum winning coalition (Posner 2005) across the majority of the country.

The 1992 election had four viable candidates. Running against President Moi were Mwai Kibaki, a Kikuyu representing the Democratic Party (DP), Kenneth Matiba, a Kikuyu representing the Forum for the Restoration of Democracy – Asili (FORD-A), and Oginga Odinga, representing the Forum for the Restoration of Democracy – Kenya (FORD-K). While President Moi only received 36% of the vote, that was enough to win a plurality. Moreover, he was the only candidate to win 25% of the vote in five – and only five – provinces.²⁸ The 1997 election again pitted President Moi against previous rival Kibaki. The other main contenders were Raila Odinga (Oginga Odinga's son) representing the National Development Party (NDP), and Kijana Wamalwa, a Luhya representing FORD-K. President Moi won with 41% of the vote and was the only candidate to carry 25% of the vote in five provinces.²⁹ Moi stepped down in 2002, following promises as early as 1998 that he would not run for a third term.³⁰

Like other third-wave democratizing countries, the onset of elections did not mean a sudden shift towards democracy (Levitsky & Way 2010).³¹ President Moi used the PA in particular to secure his electoral victory by having officers systematically skew the playing field. Whereas under Moi's one-party regime, PA officers were used to keep tabs on the population, Moi needed a coordinated and widespread body to obstruct the opposition from winning office under multi-party elections. PA officials and at all levels adapted their behaviors to a multi-party regime. They engaged in low-level coercion such as denying opposition candidates meeting permits, intimidating and assaulting opposition candidates, prohibiting opposition supporters from registering and voting, initiating election-related violence, as well as rigging the count on election day.³² They systematically hindered the opposition in part through bureaucratic and routine procedures that

²⁷ See "Still Room for Amendments," *The Weekly Review*, July 24 1992.

²⁸ Matiba finished in second place and only won 25% of the vote in three provinces.

²⁹ Kibaki came in second, with at least 25% of the vote in three provinces.

³⁰ *Weekly Review*, "After the Year 2002" 5 June, 1998.

³¹ There is a large literature on these hybrid regimes. See Morse (2012) for a recent review.

³² The electoral abuses by the PA are well-documented. See Throup & Hornsby (1998) as well as the official Akiwumi Report, which investigated electoral misconduct surrounding the 1992 election and directly implicated the PA for not keeping order because of explicit and implicit orders from above.

relied on their authority, thus not drawing too much attention (and international reprimand).

4.3 Past Attempts at District Creation

During Kenya's first 25 years, I find several requests for new districts, largely driven from below through direct appeals to the president and couched in language of ethnic marginalization and a lack of government services, as theorized by Grossman & Lewis (Forthcoming).³³ Consider the insistent demands made by several delegations from Vihigia division. They visited President Kenyatta's family home in 1971 asking to become a district.³⁴ The delegation argued that some administrative locations in Luo-dominated Kisumu District held significant Luhya-majorities. To remedy this situation, the delegation argued that Vihigia be upgraded to a district that included these majority-minority locations. Numerous delegations followed through on this request until at least 1975.³⁵ Besides requests for Vihigia, I find archival evidence suggesting that Presidents Kenyatta and Moi collectively promised the creation of six districts before 1988.³⁶

Given both the spirit of decentralization reforms throughout the 1980s as well as the strong local demand for these units, existing literature predicts that the Kenyan government should have created these units soon after their requests. Yet no new district was created until 1992. Five of the six districts promised before 1987 were created through the Districts and Provinces Act of 1992. Before his second (and final) re-election campaign, Moi had created a total 24 new districts. Moi created 30 new districts in total before he left office in 2002 (listed in Table 3).

[Table 3 about here.]

The manner in which Kenya's new districts were created strongly suggests that Kenya's change in regime sparked this trend. Despite no substantive changes in Kenya's economic outlook, 1992 proved to be the critical year in which unit creation began. In addition, Moi was at the center of unit creation unlike the unsuccessful demands in the past. The vast majority of units were created through hasty presidential de-

³³I omit the creation of Siaya District. While records of the creation of this district are incomplete, it seems to have been planned for upon independence but only inaugurated in 1966.

³⁴Memorandum by the Delegation to Jomo Kenyatta, 25 July 1971. Kakamega Branch, Kenya National Archives.

³⁵Minutes of Meeting Between Delegation and PC Western, 11 October 1975. Kakamega Branch, Kenya National Archives.

³⁶These six districts were Machakos, Migori, Nyambene, Nyamira, Tharaka-Nithi, and Vihiga.

crees, rationalized only afterwards.³⁷ A former DC during Moi's mutli-party regime discussed how he was instructed to create new districts

A directive will come from the top [in the Office of the President] to me. And then I put pressure on the DO, the DO will put pressure on the chief and within a short period of time you will have minutes coming from the [location], the sub-district development committee, the DDC going to the national government requesting for administrative units to be split. So you see, the political establishment can be a good pressure group pushing the people.³⁸

5 Explaining District Creation

5.1 Illustrating the Theory

Before I empirically test the theory presented in Section 3, I first provide a case-study on the creation of Tharaka-Nithi District. This evidence is largely from archive folio BB/11/138 located in the Nairobi branch of the Kenya National Archives. It contains letters from political and administrative elites about the creation of new districts in Eastern Province from 1987 - 1994. While the archive folio is not complete enough to engage in an in-depth case study, the letters demonstrate the effect of Moi's new electoral threat on district creation. I corroborate this evidence with multiple interviews with Moi's Permanent Secretary of PA from 1991-1998 during which 26 of the 30 new districts were created.

By 1989, Meru was the fourth most populous district within Kenya. The majority ethnic group in the district were the Meru, Kenya's 7th largest ethnic group, comprising slightly less than 1.1 million of the country's 21 million population in 1989 (5.07%).³⁹ The Meru are not a homogenous group and instead are comprised of nine with varying customs, dialects and histories (Middleton 1953).⁴⁰ Each sub-group was concentrated within a division that mirrored their name. Of the nine sub-groups the Tharaka in particular has a more distinctive language and customs.⁴¹ They are counted as a separate ethnic group in official Kenyan

³⁷Indeed, President Moi often granted a district without specifying the new district's boundaries or headquarters, leading to community disputes about the boundaries or district headquarters. For instance, the murky creation details of Teso District in 1995 led to a boundary commission delineating the new district's boundaries in 1995. See Archive Folio DB/1/59; the "Memorandum on Urgent Clarification on the Official Boundary Between Busia District and the Newly Created Teso District," May 1996. For an example of a dispute about a district headquarters, see "Fury, Then Civic Dissent," *The Weekly Review*, January 12, 1996.

³⁸Interview with former Senior District Commissioner, Nairobi, Kenya, October 14, 2011.

³⁹While these figures seem small, they are relatively large. Only the Kikuyu in 1989 comprised more than 15% of the population.

⁴⁰These nine sub-groups are the Chuka, Igembe, Igoji, Imenti, Miutini, Muthambi, Mwimbi, Tigania, and Tharaka.

⁴¹See, for example Middleton (1953).

records while the other eight are grouped under the composite “Meru.”

The Meru sub-groups exhibited stark levels of within-group marginalization. The Tharaka, in particular, had worse infrastructure than the other sub-groups. In Table 4 I list summary statistics for development indicators taken from a 2.5% sample of the 1989 census. I provide indicators by division and list the two most “modern” sources of lighting, sewage, and water.

[Table 4 about here.]

In contrast, the Imenti have long been the Meru’s largest and most politically dominant group (Fadiman 1993). By the 1980s the Imenti dominated three of Meru’s nine divisions, which collectively comprised 35% of Meru’s population. Three of Meru’s eight constituencies lay in those divisions, making the Imenti the strongest sub-group at district-wide allocation meetings such as the DDC. Among Meru’s MPs, both President Kenyatta and Moi disproportionately favored Imenti representatives over those from other sub-groups. For example, Jackson Angaine representing North Imenti Constituency was a part of the House of Mumbi (a coterie of a dozen MPs linked to Kenyatta by marriage and business). Moi chose Kirugi Laiboni M’Mukindia from Central Imenti to serve as Minister of several important departments including Commerce and Energy. The district’s headquarters were located within North Imenti helping increase the division’s access to modern infrastructure (as seen in Table 4).

I further examine the role of ethnicity in Meru by regressing those identifying as Tharaka on modern development indicators. I find that those who self-identified as Tharaka were significantly less likely to use modern infrastructure than those who identify as Meru, even after accounting for other ethnic minorities, migrants, and the division’s level of modern infrastructure. See Table 5.

[Table 5 about here.]

In large part because of the Tharaka’s marginalization, residents of Tharaka Division had been petitioning President Moi for a new district since the 1980s. In 1987 President Moi responded to these demands and promised to create a new district for the Tharaka. Yet there was no significant progress towards creating the new district for half a decade. Between 1987 - 1992, this area did not receive district-level allocations. While the PA allocated the area one additional DO beginning in 1991, the area’s first DC and related staff

were only appointed in 1992 when Tharaka-Nithi was officially established. Soon afterwards the area was allocated five administrative officers (up from two before the district's creation) and development funds increased six-fold.

In line with my theory, I find evidence that Moi's decision to create Tharaka-Nithi in 1992 was a political decision to help him win votes in the upcoming election. It was unclear which way individual Meru sub-groups and the district as a whole would vote.⁴² The internal ethnic divisions among the Meru sub-groups came to the forefront, and made the area a battle-ground in the run-up to the 1992 election. While there was not a Meru candidate running in the 1992 election, popular opinion at the time deduced that the Imenti would swing with Kibaki from neighboring Nyeri district in Central Province. Yet many smaller sub-groups hesitated voting along with the Imenti that had long dominated district politics – their votes in particular were up for grabs.⁴³

Tharaka-Nithi was created for three Meru sub-groups that felt marginalized by the Imenti and were liable to vote for President Moi in the upcoming election. Moi's Permanent Secretary of PA at the time recounted the decision to create Tharaka-Nithi:

the Tharaka felt they were being subservient to the central Meru. Politically, they wanted their own district so they could work on their own resources instead of being dependent on the [Imenti] this [was] election time. You want to maintain your votes before election time.⁴⁴

In communicating about the new district with the Permanent Secretary in April 1992, the PC of Eastern Province wrote,

Tharaka-Nithi District comprises the following tribes – Tharaka, Chuka, Mwimbi. These people had specifically requested your officers to be given their own district and they have received the news of the creation of the new district with a lot of jubilation. They were fed up being administered through Meru District headquarters which is situated within the tribe of Imenti.⁴⁵

President Moi and several political elites, including Ministers and Permanent Secretaries attended the three-day district opening ceremony, where area residents celebrated their new “freedom” from the Imenti.⁴⁶

⁴²Weekly Review, “Meru District Politics: A Story of Sharp Rivalry Among Eight ‘Sub-Tribes,’” 18 September, 1992.

⁴³*Ibid.*

⁴⁴Author interviews with former Permanent Secretary of PA, Nairobi, June - July 2012.

⁴⁵Letter from PC Eastern to Permanent Secretary of Provincial Administration, April 2 1992.

⁴⁶Author interviews with former Permanent Secretary of PA, June-July 2012, Nairobi, Kenya.

After the creation of the new district, President Moi continued to dole out divisions as a further inducement to these sub-groups. Less than two months before the 1992 election, the PC wrote again to the Permanent Secretary asking for more administrative units to be created within Tharaka-Nithi:

The residents themselves [of Tharaka-Nithi] are KANU supporters and if we could divide the division into two, this will be quite an asset to us politically another additional asset to the ruling party.⁴⁷

5.2 District Creation – Enticement

I empirically examine district creation as enticement by relying on three types of data: official Kenyan government administrative records, election data from the 1992 and 1997 elections, and a sample of the 1989 census. My unit of analysis for district creation is the division, one administrative tier lower than a district. New districts were created from one - four divisions within a district.⁴⁸ My empirical analysis in this portion is similar to Grossman & Lewis (Forthcoming); I determine if a division “split” from a mother district by using bi-annual administrative officer returns from 1989 - 2003. These returns contain the names of each district along with its interior divisions at that point in time. By comparing these returns bi-annually, I determine the creation dates and boundaries of new districts along with the original district they split from. I break the analysis into three waves. Wave 1 includes districts created in 1992 through the Districts and Provinces Act, Wave 2 includes districts created in-between the 1992 and 1997 elections and Wave 3 includes districts created after Moi’s 1997 election.

I use a random 1-in-40 (2.5%) sample of the Kenyan 1989 census at the division level to understand the role of ethnicity. To empirically measure local ethnic minority groups, I determine if a division’s largest ethnic group is different from the most populous ethnic group within the district. To illustrate this measure, let us consider Tharaka Division within Meru District. My sample has just under 29,000 individual-level observations for Meru District. Of these observations, 25,777 self-identify as Meru making Meru the district majority ethnicity. Tharaka Division has just under 2,000 observations. Of these observations, slightly less 1,900 self-identify as Tharaka and only 20 identify as Meru. I code the division as being home to a local

⁴⁷Letter from PC Eastern to Permanent Secretary of Provincial Administration, 9 November 1992.

⁴⁸There are only two instances of a new district carved out of more than one district. These districts were still comprised of district divisions from each district. See Table 3.

ethnic minority because the majority of residents in Tharaka Division self-identify with an ethnic group (Tharaka) that is not the district majority (Meru).⁴⁹

To capture the ability of local elites to broker votes from the community for President Moi, I use two measures. I first include each division's ethno-linguistic fractionalization (ELF) index as a measure of homogeneity.⁵⁰ Second, I include President Moi's relative support in the division in comparison to the rest of the district. Prior to 1992, each district contained at least two constituencies, with constituencies following division boundaries closely.⁵¹ I compare the division's vote percentage for Moi in the previous election against the district average.

I include measures that test alternative explanations based on past studies of administrative unit creation. Kasara (2006) argues that constituencies represented by Ministers were more likely to receive districts. I code whether or not a division's MP was a Cabinet Minister. I include a development index based on the percentage of residents within a division who have piped water, electricity, and modern sewerage as a proxy for marginalization and local demand. To test if district creation was driven by administrative concerns, I include the logged division area (in sq. km.) and the logged division population in 1989. I control for whether or not a division was previously split in the wave(s).

I run five different logistic models with the dependent variable as an indicator of whether a division split to create a new district in a particular wave. As detailed above, the main independent variables capture the ability of local elites to credibly deliver votes for President Moi. Model 1 includes all variables for Waves 2-3. Model 2 looks at splits during Wave 2 and is the most direct test of my theory. Model 3 looks at splits during Wave 3. Model 4 includes all waves. Because some of the districts were created before the 1992 election, I run this model without variables generated from elections as this would introduce post-treatment indicators for the districts created before multi-party elections. Model 5 looks at Waves 2-3 and includes the homogeneity of divisions with a local ethnic minority by incorporating an interaction term. This is a more difficult test of whether districts were created for local ethnic minorities. Results are reported in Table 7.

The results provide empirical support for the enticement aspects of theory presented in section 3. Dis-

⁴⁹This measure only captures official ethnic groups and unfortunately is not able to capture groups not counted in the census such as ethnic sub-groups and leads to an undercounting of this variable.

⁵⁰I measure ELF using a Herfindahl index: $ELF = 1 - \sum_{j=1}^n s_j^2$ where s_j is the share of group j , and $(j = 1 \dots n)$.

⁵¹Some smaller districts created after 1992 contain only one constituency.

tricts under President Moi were likely to be given to areas with local ethnic minorities and high homogeneity. This provides support for the assertion that Moi created districts depending on whether he could credibly sway ethnic groups into his coalition. In addition, during Wave 2, districts were more likely to be created from divisions that supported Moi, relative to other divisions in the district in the past election. Looking at Moi's lame duck term, the empirical results strongly suggest that district creation during these years did not follow an electoral logic, and instead were more likely doled out to allied Ministers.

To further test the electoral nature of district creation, I examine the assertion that President Moi did not create districts unnecessarily. I find that he selectively created districts primarily in swing areas that would help him win an upcoming election. Given Kenya's electoral rule mandating the winner win 25% of the vote in 5 of 8 provinces, I classify each province as "support," "opposition," or "swing" based on provincial level vote totals. For Wave 2 of district creation, I code "support" as provinces that President Moi won (Coast, Northeastern, Rift Valley), "opposition" as provinces that President Moi lost (Central, Nairobi), and "swing" as provinces in which Moi did not come in first or last place (Eastern, Nyanza, Western).

For each, I run the simulated probability of a new district given the presence of a local ethnic minority with different levels of ELF.⁵² I find significant variation in splits based on the province within which a local ethnic minority resides in (see Figure 1). While there were many homogenous divisions and local ethnic minorities in Coast, Central and Northeastern Provinces, the vote totals were largely uncontested and each only saw the creation of one additional district each. Only in swing provinces did being a local ethnic minority help. Local ethnic minorities had a higher chance of a district split in swing provinces and the chances of splitting increased as the division became more homogenous. Districts under President Moi were only created when they could serve an electoral purpose.⁵³

[Figure 1 about here.]

5.2.1 District Creation and Coercion

In this section, I look at the effects of district creation on the center's ability to manage the periphery during elections. With the beginning of multi-party elections, Moi faced a more territorially-dispersed threat as

⁵²I follow King, Tomz & Wittenberg (2000) for this analysis.

⁵³This result also serves to counter the alternative explanation that districts were created for local ethnic minorities as a practice of good administration or purely due to ethnic marginalization.

the opposition was campaigning throughout the country. In this environment Moi's need for a national state presence grew. To carry out the coercive measures to keep Moi and political allies in power, the PA – already the largest Ministry by 1991 – increased in size by 10% over the next decade. While a 10% increase over a period of 10 years is not alarming, this growth did not happen equally throughout the country. New districts saw an average increase of seven administrative officers from 1990 to 2003, whereas old districts saw an increase of only two (see Figure 2). Moreover, the PA saw large swells in size during election years (see Figure 3). During non-election years DOs were posted to a ministerial post in Nairobi.

[Figure 2 about here.]

[Figure 3 about here.]

While an empirical test of low-level coercion is difficult as it by definition attempts to go un-seen from official record, numerous academic and human rights reports have detailed the actions of the PA in creating an uneven playing field in 1992 and 1997. The official Akiwumi Report, which investigated electoral misconduct surrounding the 1992 and 1997 elections, directly implicated the PA, saying its failure to keep order resulted from explicit and implicit orders from above. Throup & Hornsby (1998) detail the abuses by specific DC's on and before the 1992 election including telling all civil servants within their jurisdiction to support KANU and denying the opposition permits.

Fundamentally, as Kenya transitioned from a one-party regime to a multi-party elections, Moi changed aspects of the state administrative apparatus – both administrative units and the roles of officers that govern the country – to win re-election and maintain office.

5.2.2 Alternative Explanations

I empirically test observable implications of Grossman & Lewis (Forthcoming) and do not find support for observable implications of their theory. They argue that real and perceived marginalization drives local demand for unit creation. One testable implication, then, is that areas that eventually *did* get new units should be worse off than areas that *did not* get new units in the time period prior to district creation. I divide my 1989 census sample into areas that were eventually hived off to create a new district between 1992 - 2002 ("New Districts") and those that were not ("Original/Unsplit Districts"). For each, I list summary statistics

of the two most modern sources of lighting, sewerage, and water sources. I find no clear pattern in levels of infrastructure development between areas.

[Table 6 about here.]

In addition, I use the census data to test if local ethnic minorities (coded as the second largest ethnic group in a district) in new versus original/unsplit districts had discernibly different levels of infrastructure. While ethnic minorities had lower levels of modern infrastructure than non local minorities in general, I find that those living within areas that eventually were carved off to create a new district did not have significantly different levels of modern infrastructure than ethnic minorities in original/unsplit districts. In fact, minorities in divisions that eventually split often had higher access to more modern infrastructure.

[Figure 4 about here.]

6 Conclusion

I have argued that Kenya's transition towards multi-party politics sparked President Moi to create 30 new districts from 1992-2002. Departing from existing explanations of unit creation, I find that President Moi only acquiesced to demands for new units when it served to help him stay in office. In understanding where these new districts were created, President Moi favored areas that could credibly deliver votes in the upcoming election. Moreover, areas located in "swing provinces" were more likely to receive a new district. District creation also helped President Moi win re-election by increasing the size and breadth of the PA – the executive bureaucracy under the president and used to engage in coercion during election time. The PA swelled during election years and in new districts and played an integral role in com.

This analysis, then, provides evidence on the effects of regime change on the state. Whereas existing literature on hybrid regimes has focused on the effect of the state on regime, I find that this relationship is endogenous. Leaders with strong executive power are able to shape the state administrative apparatus in a manner to best secure their rule. Required to win votes through competitive elections, leaders can treat the state as a form of patronage while simultaneously increasing the state's coercive capacity. The malleability of certain aspects of the state calls for a better understanding of state-building in this era of competitive elections.

More fundamentally, changes to a state's administrative structure are not innocuous. As donors such as the World Bank continue to promote and push decentralization reforms on the world's newly-democratizing countries, we need to know how they will interact with the new electoral politics of these places. When pushed blindly, these decentralization reforms have the potential to undermine the initial efficiency and political liberalization goals that prompted the beginning of reforms in the first place.

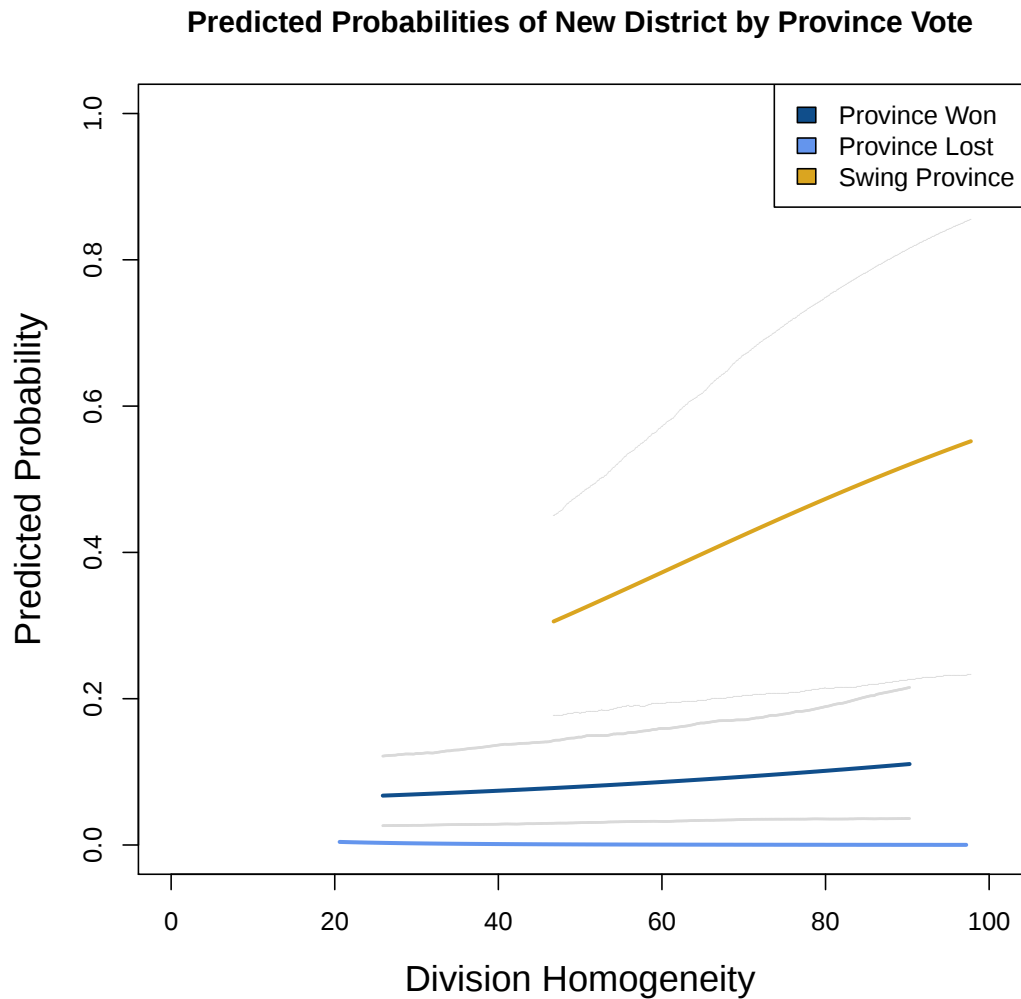


Figure 1: This figure includes the simulated probability of a division splitting from a district by provincial vote share in Wave 2. I run 1000 simulations, and simulate the presence of a local ethnic minority, and plot the predicted probability of a split as division homogeneity increases. I include 90% confidence intervals for “Province Won” and “Swing Province.” I do not include the confidence interval for “Province Lost” as it is almost indistinguishable from the simulated results, and clutters the graph.

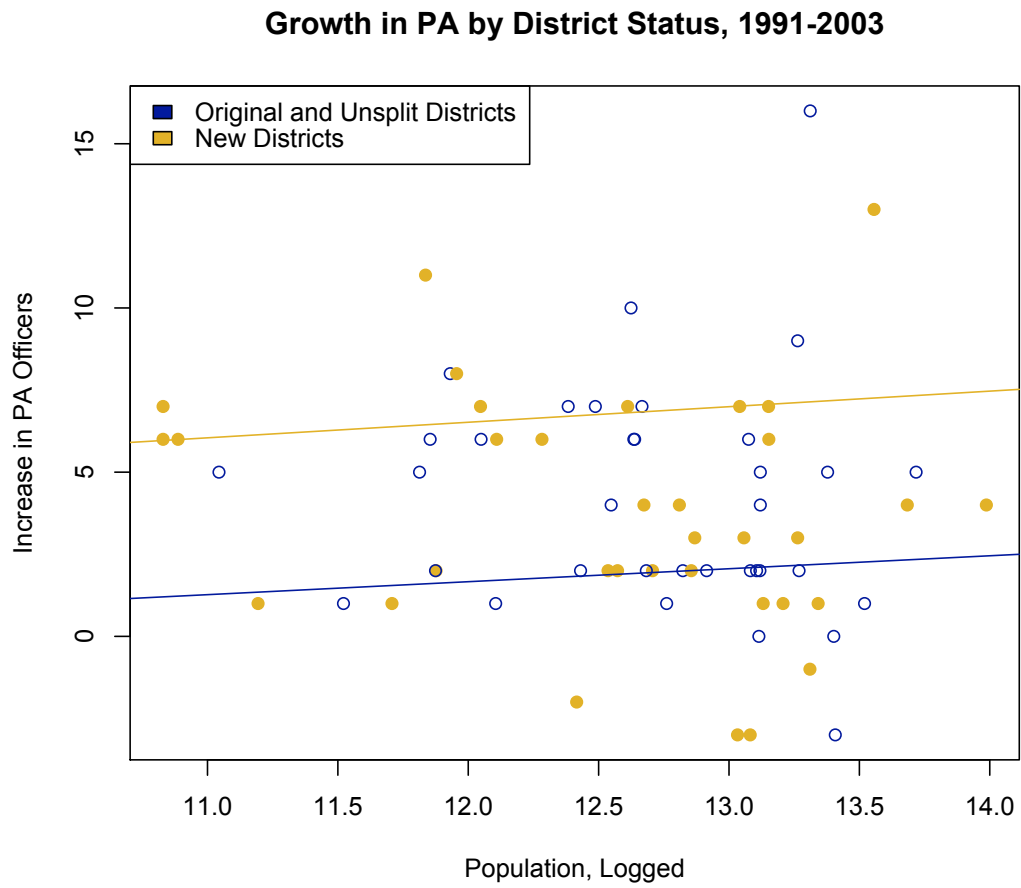


Figure 2: This plot shows the number of PA officers within new districts versus old and splinter districts.

Number of PA Officers, 1991 - 2002

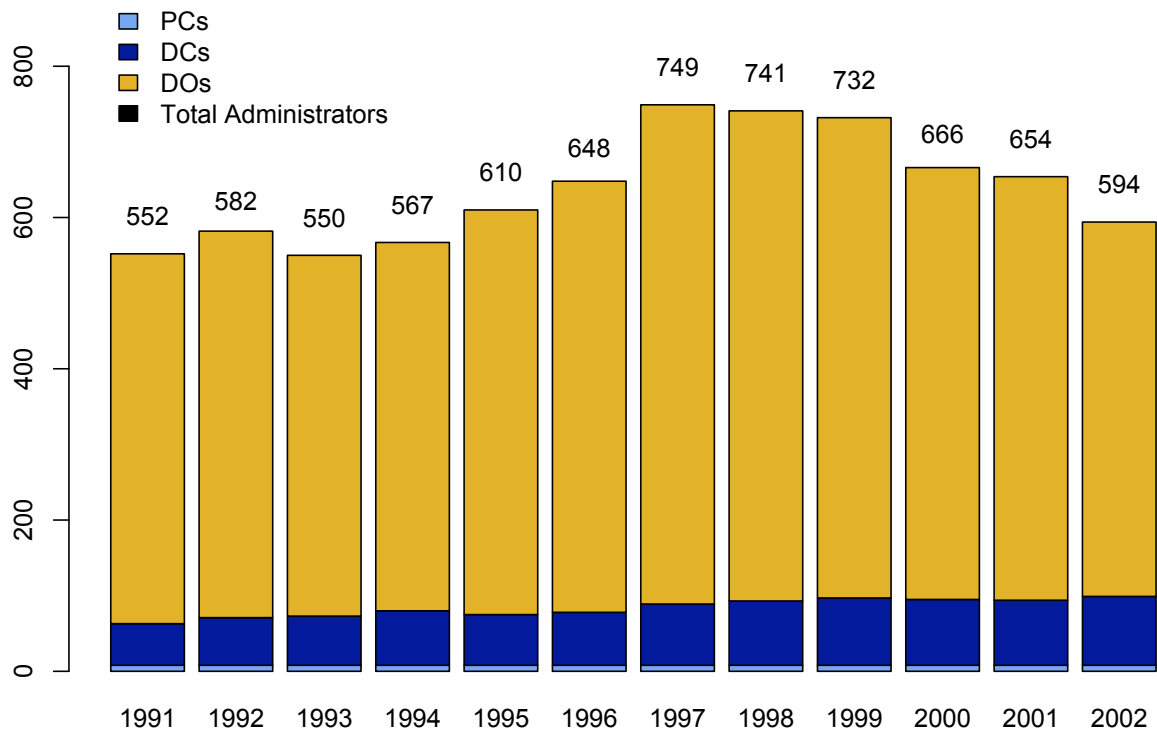


Figure 3: This plot shows the number of PA officers within the PA during President Moi's final eleven years.

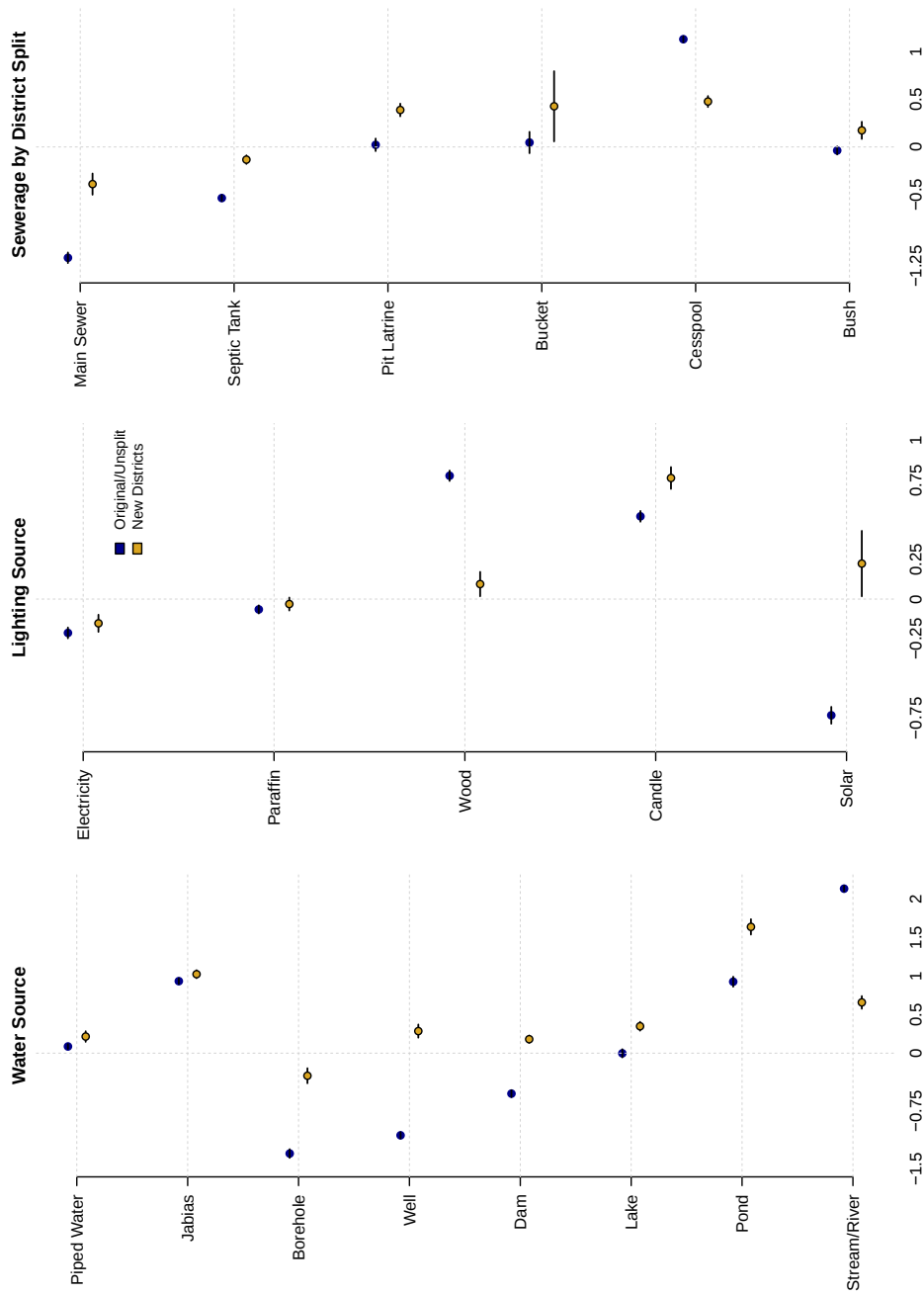


Figure 4: I run logit regressions where the dependent variable is whether or not local ethnic minorities have a specific water, lighting, or sewage source. I list each infrastructure source in order of modernity. The logit regression controls for other ethnic minorities in the district, the division level of each infrastructure, and division population.

Country	Year of Increase	Reelection?	CA Regime
Benin	1999	X	X
Burkina-Faso	1997	X	
Cameroon	1995	X	X
Cameroon	1998		X
Chad	1999	X	
Chad	2002		
Cote d'Ivoire	2000	X	
DRC	2006	X	
Equatorial Guinea	1997		
Gabon	1996		X
Ghana	2003	X	X
Ghana	2007	X	X
Kenya	1992	X	X
Kenya	1995	X	X
Kenya	1999		X
Kenya	2007	X	X
Madagascar			X
Malawi	1998	X	X
Mali	2003	X	X
Senegal	2002		X
South Africa	1994		
Sudan	1994	X	
Tanzania	1995		X
Uganda	1996	X	
Uganda	2001	X	
Uganda	2006	X	

Table 1: Unit Increases in sub-Saharan Africa. For each sub-Saharan country that experienced a substantial (20% increase) in administrative units, I list the approximate year of the increase, whether or not the president was seeking a re-election bid within 24 months, and whether Levitsky & Way (2010) classify the country as a Competitive Authoritarian (CA) regime. I choose 24 months as a cut-off as this is close enough to an election to be considered a patronage gift to an area and allows for enough time for the unit to become operational. This table is not yet complete. I welcome additions, corrections, and feedback.

Province	Largest Group	Province Percent	Kenya Percent
Central	Kikuyu	93.7%	20.78%
Coast	Mijikenda	50.6%	4.70%
Eastern	Kamba	52.1%	11.42%
Nairobi	Kikuyu	32.6%	20.78%
Northeastern	Ogaden	25.0%	0.65%
Nyanza	Luo	58.3%	12.38%
Rift Valley	Kalenjin	48.0%	11.46%
Western	Luhya	84.7%	14.38%

Table 2: This table lists the name and largest group of each of Kenya's eight provinces. I also list the percentage of the population within the province that self-identifies as the largest province group and that group's percentage of the Kenyan population (I obtain these figures from the 1989 census).

Province	Original District	2002 Districts	Province	Original Districts	2002 Districts
<i>Central</i>	Kiambu	Kiambu Thika (1994)	<i>Nairobi</i>	Nairobi	Nairobi
	Kirinyaga	Kirinyaga	<i>Northeastern</i>	Garissa	Garissa
	Muranga	Muranga Maragua (1997)		Mandera Wajir	Ijara (2000) Mandera Wajir
<i>Coast</i>	Nyandarua	Nyandarua	<i>Nyanza</i>	Kisii	Kisii
	Nyeri	Nyeri		Kisumu	Gucha (1995) Nyamira (1992) Kisumu
	Kilifi	Kilifi Malindi (1996)			Nyando (1998)
<i>Eastern</i>	Kwale	Kwale		Siaya	Siaya
	Lamu	Lamu		South Nyanza	Bondo (1998) Homa Bay Kuria (1993) Migori (1992) Rachuonyo (1996) Suba (1995)
	Mombasa	Mombasa			
<i>Western</i>	Taita-Taveta	Taita-Taveta			
	Tana River	Tana River			
	Embu	Embu Mbeere (1996)			
	Isiolo	Isiolo	<i>Rift Valley</i>	Baringo	Baringo
	Kitui	Kitui Mwingi (1993)		Elgeyo-Marakwet	Koibatek (1995) Keiyo Marakwet (1994)
	Machakos	Machakos Makueni (1992)		Kericho	Kericho Bomet (1992) Buret (1998)
	Marsabit	Marsabit Moyale (1995)		Kajiado Laikipia Nakuru Nandi	Kajiado Laikipia Nakuru Nandi Nandi South (2002)
	Meru	Meru Central Meru North (1993) Tharaka-Nithi (1992) Tharaka (1998)			Narok
	Bungoma	Bungoma Mount Elgon (1993)			Trans-Mara (1994)
	Busia	Busia Teso (1995)		Narok	Narok
	Kakamega	Kakamega Butere-Mumias (1999) Lugari (1998) Vihigia (1992)		Samburu Trans-Nzoia Turkana Uasin Gishu West Pokot	Samburu Trans-Nzoia Turkana Uasin Gishu West Pokot

Table 3: This table lists the names of Kenya's districts before the 1992 Districts and Provinces Act, and at the end of Moi's second elected term. I organize the districts by Kenya's 8 provinces. For each original district, I list next to it the districts that it became. Only two districts were created by combining divisions of more than one district. Maragua District comprises parts of the original Kiambu and Muranga. Buret District comprises divisions from Bomet and Kericho, however Bomet was created from Kericho in 1992. I bold the districts which by 1989 had a local ethnic minority that comprised at least 7% of the district's population.

Division	Electricity	Paraffin Lamps	Main Sewer	Septic Tank	Piped Water	Jabias
Imenti Central	0.61%	16.1%	0.20%	16.1%	10.40%	0.00%
Imenti North	2.10%	15.7%	0.61%	15.1%	11.70%	0.00%
Imenti South	0.45%	14.9%	0.03%	15.0%	10.66%	0.00%
Igembe	0.53%	14.0%	0.03%	12.3%	3.95%	0.00%
Nithi	1.25%	13.9%	0.20%	13.6%	4.42%	0.00%
Ntonyiri	0.06%	13.3%	0.03%	11.0%	9.69%	0.00%
Tharaka	0.46%	12.0%	0.05%	9.73%	1.39%	0.00%
Tigania	0.25%	14.5%	0.10%	13.8%	2.05%	0.00%
Timau	2.04%	15.4%	0.60%	15.6%	8.16%	0.00%

Table 4: This table uses the 2.5% sample discussed in Section 5.2. I determine the percentage of each division's residents that have access to the two most "modern" forms of lighting (electricity and paraffin lamps), sewerage (main sewer and septic tank), and piped water (piped water and jabias). I bold the three division's with the lowest level of each development indicator. I do not do this for jabias levels as all divisions had only marginal access this form of water.

	Electricity	Paraffin Lamps	Main Sewer	Septic Tank	Piped Water	Jabias
Tharaka	-0.65 (0.51)	-0.23** (0.07)	-1.09 (0.59)	-0.31*** (0.08)	-0.62** (0.19)	-13.96 (621.64)
Other Ethnic Minority	1.08*** (0.24)	0.10 (0.10)	1.58*** (0.23)	-0.02 (0.11)	0.10 (0.14)	2.33*** (0.41)
Migrant	2.44*** (0.23)	0.25* (0.11)	1.96*** (0.23)	0.47*** (0.12)	0.70*** (0.14)	-0.18 (0.56)
Division Electricity	0.02*** (0.00)					
Division Paraffin Lamp		0.00 (0.00)				
Division Main Sewer			0.02*** (0.00)			
Division Septic Tank				0.00* (0.00)		
Division Piped Water					0.00*** (0.00)	
Division Jabias						0.07*** (0.01)
Division Population	0.12 (0.11)	-0.05 (0.03)	-0.03 (0.11)	-0.06 (0.03)	0.24*** (0.05)	0.36 (0.32)
(Intercept)	-7.12*** (0.99)	-1.17*** (0.30)	-5.49*** (0.94)	-1.28*** (0.31)	-5.96*** (0.43)	-10.98*** (2.87)
Num. obs.	2774	2774	2774			

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$

Table 5: Meru, Individual Level Analysis. I run a logit regression, where the dependent variable is whether an individual has access to modern infrastructure (electricity, main sewer, piped water).

	Original/Unsplit Districts	New Districts	All Districts
Electricity	22.04%	20.0%	21.38%
Paraffin Lamps	27.84%	29.65%	28.42%
Main Sewer	15.4%	9.37%	13.5%
Septic Tank	20.9%	16.34%	20.1%
Piped	12.34%	13.33%	12.67%
Jabias†	9.66%	12.56%	10.59%

†A jabias is a concrete catchment. They were built by various Kenyan ministries in conjunction with donor funds.

Table 6: Modern Infrastructure Summary Statistics. I list the summary statistics for the two most modern sources of lighting, sewerage, and water divided by Original/Unsplit and New Districts. I bold the type of district with the higher level of each development indicator.

	Model 1	Model 2	Model 3	Model 4	Model 5
Local Minority	1.62** (0.53)	1.81** (0.63)	0.60 (1.28)	3.81*** (0.46)	−0.03 (1.15)
Division Herfindahl	1.87** (0.72)	1.45 [†] (0.87)	2.54 [†] (1.49)	1.60* (0.65)	1.37 [†] (0.74)
Moi Vote Share Differential	1.72 (1.13)	3.52* (1.50)	−2.24 (2.49)		1.31 (1.17)
District Minority*ELF					3.20 [†] (1.92)
Previous Split	−1.71** (0.59)	−2.61* (1.30)	−0.61 (0.73)		−1.90** (0.64)
Minister	0.60 (0.42)	−0.19 (0.70)	1.73** (0.62)		0.69 (0.43)
Development FA	−0.04 (0.17)	0.25 (0.20)	−0.76 [†] (0.44)	0.04 (0.15)	−0.02 (0.17)
Population (logged)	1.77** (0.57)	2.20** (0.72)	0.92 (0.94)	1.49** (0.46)	1.88** (0.59)
Area (sq. km., logged)	0.00 (0.29)	0.33 (0.36)	−0.84 (0.57)	0.05 (0.25)	−0.07 (0.30)
(Intercept)	−12.28*** (3.27)	−14.79*** (4.24)	−7.14 (5.11)	−10.90*** (2.69)	−12.21*** (3.34)
Num. obs.	512	256	256	512	512

*** $p < 0.001$, ** $p < 0.01$, * $p < 0.05$, [†] $p < 0.1$

Table 7: District splits. I present logit results. The dependent variable is whether or not a division split to create a new district.

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