

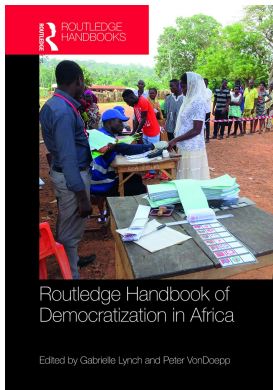
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### **Federalism and devolution**

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## 6

FEDERALISM AND  
DEVOLUTION*Mai Hassan*

Sub-Saharan Africa's bequeathed colonial boundaries have proven consequential, and problematic. European colonizers were relatively unconcerned about the downstream implications of national and subnational boundaries for diverse ethnic groups when they initially carved up the subcontinent, while postcolonial leaders have largely resisted pressures to break up their countries into separate nation-states. This decision to keep colonial boundaries has meant that ethnic cleavages often become deep fault-lines and are seen as a contributing factor to violent conflict within the context of the ethnicized distribution of state resources (Bates 2008). Ethnicized struggles over power have, in turn, undermined democratization efforts in many countries, with polls sometimes becoming near ethnic censuses where politicians mobilize co-ethnics to demand a larger slice of the national pie at the expense of other groups (Posner 2005). Most of the time, elections across the subcontinent do not revolve around real policy proposals and often fail to sanction unaccountable politicians.

Many look to decentralization, often in the form of federalism or devolution, to address these twin problems of salient ethnic tensions and incomplete democratization. By redistributing political power *within* a state, the goal is to institutionally alleviate challenges to Africa's economic and political development. Moreover, others argue that decentralization will solve other impediments, including corruption, poor economic growth, uneven development, and inequality.

Although decentralization has been proposed as a means to foster both economic and political development, this chapter focuses specifically on decentralization's relationship with ethnic conflict and democratization. Beginning with ethnic conflict, decentralization's hope is to repair deeply divided societies through formal changes in institutional design. By taking power from the center and giving it to subnational units, and by extension the groups that live there, decentralization is believed to allow groups some level of autonomy to govern themselves within a country's arbitrary borders. Second, decentralization can improve democratization by reducing executive power in the center. With power dispersed to multiple tiers of government and across multiple political elites, executives face more veto players who can stop them from using the state to further their own political goals.

But the experiences of Africa's decentralization experiments have largely failed to completely solve these issues. To be sure, decentralization has, to some extent, helped to share resources across diverse countries, incorporated more players into politics, and begun to

address some other problems on the subcontinent. In many cases, however, reforms to state structure have been unable to extinguish ethnic conflict because they only further heightened ethnic tensions. Moreover, decentralization has not guaranteed the consolidation of democracy because of the continued concentration of power in the office of the president. In fact, some of the continent's most repressive dictatorships are among those that have the most robust de jure decentralization.

This chapter argues that decentralization is not the panacea against ethnic conflict and authoritarianism that was promised for at least two reasons. First, decentralization in many countries on the subcontinent is not robust. National leaders have shown themselves unwilling to implement decentralization reforms because doing so weakens their executive power and undermines their ability to steer resources towards their base. In turn, many have used their strong executive power to only partially implement reforms or undermine them.<sup>1</sup> Second, decentralization reforms—whether implemented partially or fully—often further ethnicize the polity by stressing localized ethnic over national identities, thereby perpetuating ethnic competition in the present at the expense of democratic accountability.

In turn, the chapter contends that we must look outside simple institutional design solutions, such as decentralization reforms, to resolve sub-Saharan Africa's economic and political impediments to development. Institutional reforms seek to formalize power-sharing and constrain strong executive power. But institutional design often fails to constrain groups or actors with power precisely because those actors can use their position and power, and associated arguments in favor of order and stability, to undermine reforms.

### The promise of decentralization

A country's *state structure* is the institutionalized distribution of power between national and subnational units and the governments that run them. State structure determines who formally gets to decide what and for whom, answering questions such as whether appointed or elected leaders govern an area, whether those leaders are from the center or from the locality, and whether they drive local policy or implement national-level directives. For these reasons, state structure is especially important in sub-Saharan Africa, where groups tend to cluster geographically within subnational areas.

We can classify a state's structure based on its level of centralization. On the one hand, we have centralized, unitary states, such as Benin, Ghana, and Uganda. In these states, the national government is in charge of determining and implementing policy for the entire country. There may be subnational units, but they simply delineate the boundaries under which central allocations are distributed and/or national directives are implemented. Moreover, subnational units do not have their own elected representatives. Instead, units are run by centrally appointed bureaucrats who are expected to carry out national-level directives and policies within their jurisdiction.

Centralized, unitary states have proven problematic for ethnically diverse countries because they heighten ethnic tensions. Executive control takes on oversized importance because nearly all governance decisions are made by the president and their inner circle. Areas populated by the president's co-ethnics and important members of the regime will disproportionately receive state resources (Bates 1989; Franck and Rainer 2012; Burgess et al. 2015; Kramon and Posner 2016). Co-ethnic areas are also more likely to be run by bureaucrats who understand the area's needs and care about local development, whereas areas of opposition tend to be run by bureaucrats who are skilled at addressing potential threats to the regime (Hassan 2018). Without independent bureaucracies to allocate resources or strong horizontal checks on the president's power, a centralized, unitary state results in skewed resource allocation patterns. Ethnic tensions

are understandably high; one's relationship with the state is based largely on one's ethnic identity and political competition is often fought along ethnic lines.

This heightened ethnicization of political power has negative implications for democratic stability. Fortunes of political elites and their respective ethnic groups largely hinge on one electoral outcome, determining who is in power and who else is excluded from the spoils of the state. Incumbents are more willing to engage in autocratic actions because maintaining the presidency—and thus control over the state—is so consequential. The amplification of ethnicity due to a centralized state structure can therefore encourage violent mobilization of politicians' supporters. A politician's co-ethnics can be spurred to violence against co-ethnics of opponents since members of a group are only guaranteed the ability to “eat”—that is, to reap benefits from the state—when their co-ethnic is in office. In the past, such mobilization is said to have encouraged the breakout of about two dozen civil wars from the independence era through to the early twenty-first century (Bates 2008).

Since 1990 until 2007, nearly 20 percent of elections saw significant levels of electoral violence and another 40 percent saw low to moderate levels of violence (Straus and Taylor 2012). Consider Kenya. Four of the country's elections since the return to multiparty elections have been marred by serious violence. The two most intense bouts of violence were around the 1992 election—with some 1,500 deaths and 300,000 displaced—and again after the 2007 election—with over 1,000 deaths and almost 700,000 displaced. In each episode of violence, co-ethnics of presidential or vice-presidential candidates attempted to “evict” co-ethnics of their political opponents from valuable and contested agricultural land (Lynch 2011; Boone 2014; Klaus 2017; for sporadic ethnic conflict see Kimenyi and Ndung'u 2005). Each contested election therefore served as a violent spark of underlying tensions between ethnic groups.

Various forms of decentralization have been championed as solutions to sub-Saharan Africa's struggles with ethnic conflict and incomplete democratic consolidation. Greater decentralization within a unitary state can be carried out in one of two ways (Boone 2003). First, a state may implement greater levels of *deconcentration*. In this case, the state creates more central state outposts and dispatches more central-government agents. Those in charge of policy or resource distribution now oversee a smaller group of people. Oftentimes, the smaller jurisdictions are purposefully drawn to increase ethnic homogeneity. When appointed unit leaders have some level of discretion to determine policy, they can create policies that cater to the particulars of a group and the needs of the now smaller area. Second, a state may decentralize by inaugurating greater levels of *devolution*. Here, local elites are granted authority to interpret and implement national-level directives. Depending on the degree of devolution, subnational units may have authority to make their own legislation, raise their own revenue, and/or distribute resources according to the area's local preferences. Devolution results in more *de facto* authority allocated to the periphery than *deconcentration* because subnational units and their leaders have some latitude to diverge from the center in policy decisions.

The most extreme version of devolution is the abrogation of a unitary state and the creation of a federal state whereby subnational units have some level of constitutionally mandated autonomy. Similar to unitary countries with significant devolution, subnational units within federal countries elect their own leaders, are expected to raise internal revenue, and are in charge of some spheres of policy formation and implementation within their unit. The main difference between a devolved unitary state and a federation is that the center is still ultimately in charge in the former. Subnational units within a unitary state can only exercise the functions that the central government allows them to. On the other hand, the central government of a federal state cannot take away the authority devolved to subnational units without changes to the constitution.

Federalism attempts to accommodate diverse preferences within a single country and is thereby thought to promote inter-ethnic peace. Accommodation happens at both the individual and group level. At the individual level, citizens with diverse preferences can “vote with their feet” and sort into units where other citizens have similar policy preferences (Tiebout 1956). In countries with highly salient ethnic cleavages, citizens are often unwilling to spend resources on out-groups. The ability of individuals to sort across subnational lines means that co-ethnics are likely to cluster. The result is that individuals will share resources with co-ethnics as opposed to out-group members. At the group level, federalism entrenches group autonomy. A country’s largest ethnic groups will dominate the subnational jurisdictions where their respective group is a majority. Large groups are therefore not only guaranteed some level of resources—as would have been the case under deconcentration or devolution—but they will also win some level of political representation in their “home” area. The ability to legislate cultural norms eases fears about cultural dominance by the national leader’s ethnic group. Even if a group is not in power nationally, their way of life should continue.<sup>2</sup> And the institutional stickiness of the constitution guarantees the group autonomy in the long run without fear of central retaliation should they legislate policy at odds with the center.

Federalism is thought to promote democratization separately from its impact on ethnic accommodation for three reasons. First, federalism, and to some extent devolution within a unitary state, gives both winning and losing parties buy-in to the democracy and the federation. A losing party has a strong incentive to fight for both democracy and federalism even after national-level political defeat. As suggested above, losing parties want to ensure as much state autonomy and democratic rights as possible at the subnational level where they hold at least some power. They will subsequently use their subnational position as a “foothold” to govern well and show voters that they should be given power at the national-level next election (Riedl and Dickovick 2014), as well as a base of coordination for future contests (Levan 2018). Moreover, to the extent that winners at the national level recognize that their hold onto power is precarious, they prefer to respect federalism and democracy: they might land in the opposition at the national-level in the future (O’Neill 2005; Riedl and Dickovick 2014).

Second, federalism is meant to help democratization when empowered subnational units can serve as a check on unrestrained executive power. Within centralized countries, the leader has access to the entirety of the state’s coffers and can allocate public resources in a manner that keeps him in power, thereby undermining democracy. Executive power that was initially limited to a few realms grows because of the leader’s power of the purse. The leader is liable to use his sweeping executive power to dictate happenings across the country, and the country can easily slip into autocracy. On the other hand, federal and devolved countries spread power across multiple leaders and decrease the amount of resources that any one leader can access. Moreover, subnational units can use their political authority to demand greater authority in other realms, thereby reducing the president’s formal hold over the national government (Falleti 2010). Lastly, subnational units can act as veto players against the encroachment of the national government.

Third, decentralization is thought to improve the quality of democracy by increasing local-level accountability. Decentralization formally “brings government closer to the people” since important decisions are made at increasingly local levels as opposed to the center. This means that decentralization can facilitate more community participation and increase the ability of civilians to monitor and sanction their elite representatives. Together, these mechanisms are thought to promote better—and more appropriate—policies for localities and help ensure that the government more fully represents the interests of its people.

In sum, decentralization—especially its most robust forms—is thought to promote inter-ethnic peace by creating buy-in to the system and allowing groups excluded from national-level

politics a degree of local autonomy. Separately, decentralization is thought to deepen democratization by lowering the importance of national elections, creating subnational checks against the president, and increasing local-level accountability and participation.

### **The decentralization experiment in Africa**

Cases of federalism or significant devolution within a unitary state (often termed quasi-federalism) are the most robust forms of *de jure* decentralization. Ten countries in sub-Saharan Africa have formally implemented a version of federalism or substantial devolution: Cameroon (1962–72); Comoros (1978–89, 1992–99, 2001 to date); Ethiopia (1952–62, 1995 to date); Kenya (1963–64, 2013 to date); Nigeria (1960–66, 1979–83, 1999 to date); Republic of the Congo – Kinshasa (current Democratic Republic of Congo, 1960–65); South Africa (1994 to date); Sudan (1972–83, 2005 to date); Tanzania (federal status for islands of Pemba and Zanzibar; 1964 to date); and Uganda (1962–66) (Suberu 2009).

This list suggests that there are two paths that lead to the *de jure* implementation of federalism or quasi-federalism. First, some countries were founded with a federal system at independence, as occurred in Cameroon, Kenya, Nigeria, the Republic of the Congo – Kinshasa, and Uganda. The rationale was straightforward: the postcolonial boundaries of these countries contained multiple ethnic groups or subnational regions that had been administered differently during colonization, and it was unclear whether an abrupt transition to a centralized unitary state that put one group in power over others would succeed (Anderson 2005; Suberu 2009).

As an extreme example of ethnic accommodation, some colonial powers implemented federalism to protect powerful but numerically small ethnic groups. For instance, the British acquiesced to demands for federalism in Uganda after the Baganda Kingdom threatened secession if they were not guaranteed autonomy (Suberu 2009). In other cases, colonial powers pushed federalism to accommodate administrative differences and variation in subnational legal codes. Take, for instance, Cameroon, which was initially a German colony until WWI and was thereafter divided into two regions, each administered separately by the British and French. These colonial powers presumed that a federal structure would bring about less administrative and political friction than jumping straight into a unitary state with unified laws. Comparatively, although Tanganyika and Zanzibar were administered separately under colonization, the two merged to form a federal union soon after colonialism and the overthrow of the Zanzibar sultanate in 1964.

Other African countries have turned to federalism as an institutional fix against ethnic tensions after intense periods of violent ethnic conflict or political strife. Civil conflict has tended to break out after a large and politically powerful ethnic group is left out of power and feels that they are not getting their fair share of the national pie.<sup>3</sup> Reconciliation processes after these periods of violence have turned to federalism to promote inter-ethnic peace by encouraging regional, and thereby group, autonomy. We see this logic in Sudan. The country's two forays into federalism each began as a compromise to end a civil war between the north and the south (El-Battahani and Gadkarim 2017). Greater regional autonomy for the south was seen as a way to avert future conflict by facilitating a more equitable sharing of resources and allowing the region to legislate its own laws. Ethiopia also turned to federalism in the wake of violent conflict. In 1994 the Ethiopian government lost a twenty-year civil war, which resulted in the secession of coastal Eritrea. Other ethnic groups in the country clamored for autonomy from the hegemony of the Amhara, who had long dominated power. Ethiopia adopted a federal constitution soon afterwards, which ostensibly sought to protect ethnic groups who were out of

power and to prevent further fracturing of the country. Similarly, South Africa adopted a quasi-federal system after the end of apartheid as an institutional guarantee to powerful whites and the Zulu who feared potential political domination by Nelson Mandela, the African National Congress (ANC), and the Xhosa (Klug 2000).

Despite the promise that federalism and devolution would alleviate ethnic tensions, the form of decentralization that has proven most popular in sub-Saharan Africa is instead the deconcentration of the state through the creation of more subnational administrative units in an otherwise centralized state. Just as African countries' national boundaries have sparked conflict by placing together different ethnic groups, subnational boundaries have been a source of tension because they lump together various ethnic groups within the administrative units where policy is made, implemented, and/or where resources are distributed. However, unlike national-level boundaries, leaders with strong executive power can fairly easily redraw subnational boundaries or create new units.

Unit creation has proved especially useful for minority ethnic groups within existing administrative units. When an administrative unit contains two (or more) ethnic groups, the local ethnic majority group is liable to use their influence to steer resources towards parts of the unit where they live. Local ethnic minority groups within existing units are often overlooked. In this way, existing subnational boundaries can cause inter-ethnic tension and prevent political accountability at the subnational level, as local leaders only have to cater to the local majority group.

Unit creation for a local ethnic minority group within an existing unit promises to alleviate the tension. After a new unit is created for a former local ethnic minority group, both the parent and the split unit are more homogeneous. The former minority group now has their own administrative unit in which they are guaranteed all of the rights and resources that other units receive. This often entails an allocation of resources (e.g., a district budget), unit-specific resources (e.g., a county hospital), and allotments for resources distributed at the unit level (e.g., the ability to recommend locals for nationally recruited civil servants, such as teachers or police officers). After a wave of unit proliferation, each unit gets fewer resources than before; but minority groups are at least now guaranteed an allocation (Grossman and Lewis 2014; Hassan 2016). And when units become more homogeneous, policy implementation can better fit the needs of each group.

Unit proliferation has been widespread. Some thirty countries have increased the number of subnational units at some tier of government by at least 10 percent since 1990 (Grossman and Lewis 2014; Hassan and Sheely 2017). This has often been to empower local ethnic minorities within (previously) large districts, which in turn helps presidents to distribute patronage and maintain (or win) support from recipient ethnic groups. For instance, in Uganda, President Yoweri Museveni has instigated four waves of district creation since 1990, increasing the number of districts from thirty-four to 112 (Grossman and Lewis 2014). In neighboring Kenya, the number of subnational administrative districts increased from forty-one to seventy-one under President Daniel arap Moi's final decade in office (1992–2002) (Kasara 2006; Hassan 2016). His successor, Mwai Kibaki, doubled the number of districts by 2007 and doubled them again by the time he left office in 2013. In Ghana, power has shifted between the National Democratic Congress and New Patriotic Party parties, but each has seen a wave of district creation for minority groups. The number of districts now stands at 216, up from sixty-five in 1989 (Ayee 2013; Resnick 2017). It is worth noting that unit proliferation can occur in federal countries as well. These calls are made for many of the same reasons as in unitary states—for residents in the proposed new state to be guaranteed a slice of decentralized resources.



## **Decentralization undermined**

Although the vast majority of countries on the subcontinent have salient ethnic cleavages and hold multiparty elections, most countries that have opted to decentralize have done so through less robust reforms. And of the countries that have formally implemented federalism or devolution, the end result has often been less de facto decentralization than promised. What explains why decentralization is not more prominent? Why are cases of decentralization less robust in practice than on paper? And to what extent has decentralization actually reduced ethnic conflict and improved democratic consolidation? The following section details three reasons why federalism and quasi-federalism have often proven less robust than institutional design would suggest and policymakers might hope.

### ***Political interference with decentralization***

First, many leaders are unwilling to initiate far-reaching decentralization reforms because it would reduce their executive power. Federalism in particular has little appeal for many leaders because it entrenches subnational political autonomy in a way that is difficult to subsequently undermine.<sup>4</sup> Leaders of subnational units are liable to use their political autonomy to agitate for greater authority, eventually achieving higher levels of fiscal and administrative autonomy from the center (Falletti 2010). Moreover, when the leader (or the party) does not have political support across the country, decentralization allows the opposition parties some autonomy with which they can cultivate their local support and pose a greater challenge to the leader (Riedl and Dickovick 2014; Levan 2018).

Some leaders on the subcontinent have been forced to decentralize their states over the past thirty years, but without oversight or extenuating circumstances they have tended to adopt forms of decentralization that do not substantially lessen executive power. Some of this pressure to decentralize has been internal, as groups (peacefully or violently) advocate for more formal autonomy. Some of this pressure has been external from Western donors, either to reduce ethnic conflict, deepen democratization, or to try to engineer decentralized state structures that will meet other goals such as reducing corruption and government excess. However, since leaders have a large hand in designing and implementing decentralization reforms, they often advocate for less robust forms of decentralization or allow backdoors that still give the center authority to interfere in the domains of subnational units (Wunsch 2001; Olowu 2003).

Robust decentralization, and federalism in particular, requires that the national government and subnational governments be committed to the enterprise and respect the constitutional separation of powers (Bednar, Eskridge, and Ferejohn 2001; Bednar 2009). This requires that governments at both tiers have enough capacity to defend their constitutionally guaranteed rights should the other tier overstep its bounds. This ideal is always difficult to meet, but especially so in sub-Saharan Africa where the central state is itself weak and subnational units are exceedingly weak. Moreover, research on countries with federalism or quasi-federalism suggests that national-level leaders have actively undermined the formal rules of power-sharing (Suberu 2009; Kendhammer 2014). Observers of Ethiopia argue that the country operates like a centralized, unitary state despite de jure federalism (Keller 2002). The center is able to send national police officers when it deems appropriate, such as during the 2005 Oromo protests for greater autonomy (Arriola 2013). The integrity of the Comoros union is unstable because the president of the largest island, Grande Comoros, and the president of the entire federation keep butting heads about their respective mandates (Mohadji 2005). The longevity of the ANC's tenure has put South Africa's quasi-federation at risk as the ANC tries to amass more power at the expense of the provinces (Klug 2000). The majority of Nigeria's states have little power and



resources to implement their own agenda and the central government intervenes regularly in state affairs (Suberu 2009). Sudan's federal arrangements are little more than a ruse—Khartoum pulls all of the strings, in part through its appointment and management of states governors (El-Battahani and Gadkarim 2017).

Further, in some cases, the center is required to overstep the bounds of the federal agreement because subnational units are too weak to uphold their end of the bargain. Case studies of resource administration in Kenya indicate that poor coordination and communication between the national level and the devolved county level have harmed the promise of devolution to improve service delivery (see Tsofa et al. 2017). In other cases, the center has recentralized authority because devolved governments have proved unable to step up, while citizens continue to demand services. Similarly, citizens themselves may have little demand for robust decentralization because of the central state's relative strength in comparison to subnational units (Kendhammer 2015). When subnational units are too weak to provide necessary resources, citizens often opt for a more direct relationship with the center.

Presidents' unwillingness to give up executive power in sub-Saharan Africa helps to explain why the most prominent mode of decentralization is administrative unit proliferation. Leaders tend to create new units for minority ethnic groups or other marginalized groups within existing administrative units. Pushed by demands to bring "democracy to the doorstep of the people" and "development to the people," new units do allow minority ethnic groups some level of autonomy over their affairs. But unit proliferation has not reduced central government power; if anything, unit proliferation has increased the leader's grip over these minority ethnic groups. Former local minority groups are now one step closer to the center in the administrative hierarchy, meaning that the leader can now more directly affect the group's affairs (Lewis 2014). The leader can more ably, and thus credibly, use the central state to coerce the group should they organize against the leader or not support the leader to the degree demanded. At the same time, although unit proliferation has eased international pressure to decentralize, it has not resulted in the increase in livelihoods that was promised. While there is evidence of a short-term bump in local livelihood in new units—often spurred by the initial construction of unit-wide resources—long-term development outcomes trail off (Grossman, Pierskalla, and Dean 2017).

### ***Decentralization to recentralize power***

Second, and in a similar vein, some leaders spearheaded decentralization reforms in an attempt to recentralize control over the periphery and increase executive power. Research has found that leaders have proved willing to decentralize when doing so helps them cement bonds with local-level elites who are willing to be coopted. Local-level elites are the ones who benefit from devolution reforms, and so leaders use devolution as a bargaining chip when they need those elites to rally local support in their respective jurisdictions. Boone (2003) recognizes that devolution proves tricky for the center, as it empowers local elites who may eventually use their authority against the leader. As such, leaders are only willing to devolve authority among elites it considers allies, especially when those elite have high bargaining power. In this way, Boone elegantly explains why we see different types, and varying degrees, of decentralization *within* a state—local areas are different so the best way to meet central goals and maximize executive power is for a leader to adopt different state structures subnationally. Similarly, Baldwin (2014) finds that leaders are more likely to devolve authority over land to local elites when those elites represent "swing" ethnic groups, while Barkan and Chege (1989) argue that Kenya's President Moi introduced decentralization as a political strategy to increase his political control over the

local. Unable to trust bureaucrats in the center, he instead sent power to the periphery where he had more loyal agents as a means to solidify his grasp over political power.

In fact, Riedl and Dickovick (2014) argue that more robust forms and levels of decentralization are perhaps most likely under authoritarianism; specifically, when the country has an authoritarian hegemonic party regime. In these cases, the party is willing to devolve power to lower-level units because it can then install party agents on the ground, thereby leading to better monitoring and increased recruitment of loyal followers into the party. Since decentralization will create more political positions at increasingly lower levels, the party has more patronage jobs it can dole out; and to the extent that the center can monitor the behavior of agents in these local positions, the party has a large group of agents whom they can appoint to higher and more senior positions in the future.

This argument perhaps explains why two of Africa's most robust federalist systems on paper—Ethiopia and Sudan—were solidly authoritarian for decades. In Ethiopia, federalism helped to fragment the opposition as smaller parties banded together under the Ethiopian People's Revolutionary Democratic Front (EPRDF) to gain access to federal resources that are sent to individual states, and simultaneously allowed the EPRDF to use state jobs to reward party activists (Green 2011; Riedl and Dickovick 2014). In Sudan, Omar al-Bashir's National Congress Party (NCP) supported fiscal federalism, in part to instill NCP loyalists in each state (El-Battahani and Gadkarim 2017).

### ***Ethnicizing the polity***

Third, while decentralization promises to reduce ethnicization, it has often done the opposite in practice. This increased ethnicization is most likely under federalism and has manifested in three primary ways: increased calls for secession, formalized discrimination against minority ethnic groups within subnational units, and increased salience of sub-unit ethnic differences. Through federalism, different ethnic groups are granted some level of autonomy within the greater nation. But in creating a federation based on the importance of ethnic identity, and by creating subnational units based on those ethnic homelands, federalism heightens feelings of ethnic differences and lowers emotional connections with the nation (see Ekeh 1975 on these "two publics"). Secessionist claims become more viable the stronger federalism is: subnational units that have de facto control over their local armies, local administration, and legislatures can more easily launch a secessionist threat. But secession is also likely when federalism is not robust. Since groups were granted de jure autonomy because of their distinctiveness, but not given de facto authority, political entrepreneurs within those groups can easily transform calls for federal autonomy into calls for statehood.

It is therefore unsurprising that federalism has served as a stepping-stone for secession claims. Soon after the Republic of the Congo–Kinshasa achieved independence as a federal country in 1960, Katanga and South Kasai provinces violently fought for their secession, in part because of claims about ethnic differences with the rest of the country. Nigeria's federalism at independence preceded the Biafran War, when the Igbo in the country's south-eastern region tried to leverage regional autonomy into a new state. Sudan has implemented multiple federal constitutions, and each time the result has been a civil war sparked by southern calls for secession from the largely Muslim–Arab north.<sup>5</sup> More recently, the 2005 Comprehensive Peace Agreement granted the southern region's autonomy. Given the ethnicized cleavages between north and south, alongside the federal autonomy that the south had, southern leaders then mobilized a successful referendum for secession in 2011 with little interference from Khartoum.

In addition, federalism can result in formalized discrimination. Outsiders—i.e., individuals who are not considered “indigenous” to the subnational unit in which they reside—are often taxed for state resources and services or prevented from using those services outside their perceived “home” unit, even when the law allows citizens to live anywhere and forbids subnational units from kicking out non-indigenous groups. The logic behind this discrimination is that resources are seen as belonging to the indigenous group of the subnational state. Individuals from other ethnic groups are expected to “vote with their feet” and repatriate to their home subnational unit. In Nigeria, for instance, groups “whose ethnic ancestry is not local to their official state of residence face systematic discrimination that denies them full ... citizenship and the political rights that come with it” (Kendhammer 2014, 396). The ethnicization of state resources therefore proves especially problematic for groups who are not large enough to have their own unit, or for individuals who do not identify with any group at all. In Ethiopia, those “who do not choose to identify with a specific *killil* [ethnic homeland] were left with no homelands from which to exercise the full measure of their rights vested in *killils*” (Mehretu 2012, 119). Many citizens tend to return to their home unit. This self-segregation promises to only further feed into the ethnicization of the polity.

Further, decentralization more broadly has resulted in the increased salience of ethnic (or sub-ethnic) cleavages within subnational units. As the amount of resources and power at the subnational level increases, subnational politicians are liable to mobilize electoral support by increasing animosity towards out-groups (Posner 2005). These subnational cleavages can turn violent. For instance, in Kenya, counties that had previously been fairly peaceful during the country’s first three rounds of electoral violence saw local leaders fomenting violence against now rival ethnic groups within the same county (Malik forthcoming). Whereas elites mobilized supporters to fight for the presidency in the past, elites are now mobilizing supporters to fight for control over county governments.

## Conclusion

Proponents of decentralization in sub-Saharan Africa have held it up as an institutional fix to problems ranging from ethnic violence, incomplete democratic consolidation, corruption, to low economic growth. This chapter looked specifically at the theorized and actualized effects of decentralization on ethnic conflict and democratization. Decentralization promises to temper inter-ethnic tension by helping to create buy-in into the status quo for ethnic groups out of power nationally, allowing these groups some authority to govern themselves subnationally. At the same time, decentralization is thought to deepen democratization by bringing government closer to the people, lowering the stakes of national-level elections, and creating subnational checks on the president.

In practice, however, decentralization has not lived up to its promises to prevent ethnic conflict and ensure democratic consolidation for three reasons. First, national leaders often subvert decentralization reforms because they are unwilling to relinquish strong executive control of the state. Relatedly, when called upon to decentralize, leaders often choose forms of decentralization that take away less of their authority or make implementation decisions that maintain their link to the periphery. Second, even when implemented, Africa’s decentralization experiment has often allowed leaders to recentralize political power. Third, decentralization has also led to unexpected outcomes, similar to other attempts at institutional design. When federalism is crafted within deeply ethnicized societies, the results have often been the further ethnicization of the polity or an uptick in calls for secession.

While decentralization advocates may lament the subcontinent's tepid foray into decentralization, weak decentralization may actually be a blessing in disguise. For instance, prominent research on the United States—a federal country with high national and subnational state capacity—has convincingly shown that federalism actually prevented the country's transition towards democracy until recently as elites in southern states used their constitutionally mandated separation from the center to implement authoritarian practices against African-Americans, a minority ethnic group (Mickey 2015). If a country does not have a consolidated democracy, then decentralization may reproduce political inequalities at lower tiers of the state.

In summary, changes to the institutional design of a state's structure are not the panacea that is often promised by decentralization's more ardent supporters. And while decentralization has led to numerous benefits on the subcontinent, it is unlikely, on its own, to put African countries on a path towards inter-ethnic peace and democratization. Instead, for decentralization to have its intended benefits, it must be implemented alongside reforms that reduce executive power and reduce the salience of ethnicity.

### Notes

- 1 In this sense, decentralization does not automatically lead to a change in political culture.
- 2 Many groups who are currently out of power in unitary countries complain about encroaching cultural dominance of the president's ethnic group, but ethnic groups in federal countries are often federally recognized.
- 3 For recent analysis on this topic, see Roessler (2017).
- 4 Constitutions are more durable than simple legislation, but constitutions on the subcontinent are often/generally not as durable as constitutions elsewhere. Since 1990, more than twenty-five countries have radically amended their constitution or adopted a new one altogether (Gathii 2007).
- 5 Sudan was granted independence as a unitary state, although provisions in the original constitution allowed for some degree of autonomy for the south. The country launched into a civil war days after independence. Sudan implemented a federal constitution in 1972 to end the war. The peace was short-lived as the south attempted to secede again in 1983.

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