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Elections and Electoral Violence in Kenya: Insights from the 2007 Elections – Implications for the 2013 Elections

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Executive Summary

Electoral violence has occurred in every multiparty election in Kenya. We estimate that in the run up to the 2013 elections, pre-election violence has already occurred – meant to intimidate, disrupt, and displace – and will continue until the election in March. Tana River in Coast Province, Kisumu in Nyanza Province, and much of Rift Valley Province are especially susceptible to this violence. A combination of factors, including increased international attention, makes large-scale post-election violence unlikely, but, until Kenya's political institutions strengthen and mature, violence is always a possibility. Thus far, none of the suspected perpetrators of the 2007/8 electoral violence have been held to account by the Kenyan judiciary. International sanctions, however, in the form of International Criminal Court (ICC) indictments are pending.

There are commonalities across Kenya's elections: namely, weak political parties and weak institutions. There are, however, major differences between 2007 and 2013 that should prevent a recurrence of large-scale post-election violence. The fact that the largest ethnic group (Kikuyu) has only ever comprised approximately 20 percent of the population has created the necessity for some level of ethnic cooperation. Despite its importance in understanding Kenyan politics, ethnicity is hardly fixed; it is fluid and has changed based on the political imperatives of the times. The malleability of ethnic identity is particularly evident when looking at ethnic alliances – which have existed in multiple different permutations – over time. The Kikuyu/Kalenjin political coalition could mitigate remaining ethnic antagonisms from 2007, although there is the possibility that this specific coalition – of the two groups that have historically ruled Kenya – could spark a counter-coalition.

Additionally, in the March 2013 elections, no true incumbent is running for president (similar to the 2002 election) thus it would be more difficult to manipulate state resources in favor of one candidate over another.

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GLOBAL COVERAGE ANALYSES PROGRAM – AFRICA

ELECTIONS, REGIME SUCCESSION, AND GOVERNANCE

TRENDS IN DEMOCRATIZATION AND ELECTORAL VIOLENCE IN AFRICA

ELECTIONS AND ELECTORAL VIOLENCE IN KENYA: INSIGHTS FROM THE 2007 ELECTIONS – IMPLICATIONS FOR THE 2013 ELECTIONS

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Contents

Elections and Electoral Violence in Kenya: Insights from the 2007 Elections

Introduction to 2007/8 Electoral Violence in Kenya

In December 2007, Kenyans went to the polls in the country's fourth election since the reintroduction of multiparty politics in 1991. The election was close and highly contentious, with two former allies turned bitter rivals (Mwai Kibaki and Raila Odinga) vying for the presidency. On December 30, incumbent Mwai Kibaki was declared the winner with 47 percent of the vote to Odinga's 44 percent. The differential between the two candidates was 231,728 votes. Odinga and his supporters, alleging fraud and electoral irregularities, refused to accept the outcome of the election. Riots and protests broke out across the country. Violence was perpetrated along ethnic lines. Across the country, Odinga's co-ethnic supporters (Luo) attacked Kibaki's co-ethnic supporters (Kikuyu). In the Rift Valley specifically – where much of the violence was concentrated – Kalenjin (who had allied with the Luo and Odinga in the election) attacked Kikuyu, razing hundreds of homes and killing hundreds of people. In the two months after Kenya's 2007 election, an estimated 1,500 people died, and more than 500,000 were displaced. Although Kenya was once a model of development and stability on the continent, the events of late 2007/early 2008 forced researchers and policy analysts to take a hard look at the country and its status as a success story. The events also underscore a troubling feature of new democracies: that elections – a necessary procedural component of democracy – have the potential to induce violence and instability.

A National Accord, mediated by an African Union Panel of the Wise, was agreed to in February 2008. As part of the conflict resolution process, Kenya approved a new constitution in 2010. Kenya is scheduled to hold its first post-2007 elections in March 2013. In order to assess the potential for violence in these upcoming elections, it is important to understand the history of electoral violence in Kenya. While 2007 was an extreme case, it was not the first time that violence has accompanied elections in Kenya. Virtually all of its electoral contests, even those before 1992, have experienced some level of violence. This paper examines Kenya's political history, the violent character of its electoral contests, and the pivotal role of ethnicity in Kenyan politics in order to assess the potential for violence in March 2013. The violence surrounding the 2007 elections can be understood as an extension and escalation of the violence found in each of its previous multiparty elections, all of which can be attributed to political opportunism and

weak political institutions. In particular, the weakness of Kenya's political parties and security and judicial institutions have contributed to the appeal of using violence as an electoral strategy.

Using data from the 2007 election, I examine the pattern of violence across Kenya's administrative districts. I examine voter attitudes in Kenya across two waves of surveys in the 2000s. Based on its history, I conclude that it is likely that Kenya will experience pre-election violence in 2013 – indeed, it has already occurred; the magnitude, however, depends wholly on how prepared the country is to manage its inevitable electoral disputes. The most fragile provinces are likely to be the same as in previous elections (Rift Valley and Nairobi); there are new conflicts emerging, however – for example, in Tana River – which must be monitored as well.

History of Elections, Ethnicity, and Electoral Violence in Kenya

Kenya held multiparty elections in 1992, 1997, 2002, and 2007. Electoral violence has attended all four elections. There are three themes that recur throughout Kenya's experience with elections and electoral violence: it is a strategy that has worked; political elites have manipulated ethnic grievances to encourage violence; and there have been few, if any, consequences for its use. In addition, and perhaps as a mechanism that reinforces the utility of the politicization of ethnicity in Kenyan election, political parties are fluid, partisan alliances are shifting, and political leaders seemingly call all the shots.

Ethnic violence was reported across the country as soon as the 1992 campaign began. "Tribal clashes" erupted in Western Kenya as early as in December 1991, and by May 1992, these clashes had spread to all areas along the borders of the Rift Valley Province, where non-Kalenjin migrants had settled adjacent to traditional Kalenjin lands. Violence was especially severe in the Rift Valley against people perceived as outsiders. Kalenjin "warrior" and Maasai "warrior" groups dressed in traditional attire attacked non-Kalenjin people in the Rift Valley, Nyanza, and Western Kenya, including Luo, Gusii, Luhya, Kamba, and Kikuyu.[1] More than 1,500 people died and 300,000 were left homeless by the violence. The clashes were meant to show the mostly Kikuyu migrants that multiparty democracy would bring them trouble – that they could not just come into the traditional Kenya African National Union (KANU), or rather Kalenjin lands, and vote for the opposition.[2] The clashes also succeeded in displacing many Kikuyu, disenfranchising them ahead of the polls, and helping to elect Moi with a plurality of 36 percent.

[1] Kagwanja, Peter Mwangi. "Facing Mount Kenya or Facing Mecca? The Mungiki, Ethnic Violence and the Politics of the Moi Succession in Kenya, 1987-2002." *African Affairs* 102 (2003).pp.25-49.

[2] Barkan, Joel. "Kenya: Lessons from a Flawed Election." *Journal of Democracy* 4 (1993). pp.85-99.

The December 1997 election in many respects repeated the patterns of 1992; however, the opposition was even more divided. Fourteen opposition candidates ran for president, and 24 parties participated in the general election. The two Forum for the Restoration of Democracy (FORD) factions disintegrated. FORD-Kenya, the 1992 coalition of the Luo and parts of the Luhya community, split when Luo political leader Raila Odinga, formed the National Development Party (NDP) and FORD-Kenya became a Luhya party led by Kijana Wamalwa. FORD-Asili also split when Kenneth Matiba refused to run for president. The largest ethnic group, the Kikuyu, was divided as it had five candidates running for president, but only Mwai Kibaki of the Democratic Party, was considered a serious contender. President Moi won re-election with 40 percent and was the only candidate with more than 25 percent in five of the eight provinces. Moi's most serious rival, Kibaki, received 30 percent of the vote and more than 25 percent of votes in three provinces.

The 1997 election took place with less violence and fewer deaths were reported; however, it was estimated that, by March 1998, about 200 people had died in election related clashes.[3] Most of the violence took place before the election. Pre-election violence began in earnest in July 1997 when clashes erupted between the state security apparatus and opposition groups.[4] August and September 1997 saw serious ethnic clashes emerge on the Coast and in the southwest. These clashes were similar to the clashes that had occurred in Rift Valley province in 1992, in that both violence sprees were carried out by large organized groups; were brutal, costing hundreds of people their lives; and targeted known opposition supporters.[5] In August 1997, 'Digo Warriors' – financed by political candidates – at the Coast killed 100 and displaced 100,000 upcountry people.[6]

In January 1998, Kalenjin and Maasai warriors attacked mostly Kikuyu, Pokot, and Samburu in the Rift Valley.[7] In the Rift Valley, the violence again targeted Kikuyu and non-native groups, with the Pokot, Samburu, and other ethnic minorities acting as aggressors.[8] The youths arrested for causing the disturbances in the coastal area, reported receiving training from and swearing an oath of loyalty to policemen and ex-security

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[3] "Kenya Post Election Political Violence." *Global Campaign for Freedom of Expression*. December 1998.

[4] Ajulu, Rok. "Kenya's Democratic Experiment: The 1997 Elections." *Review of African Political Economy* 76 (1998). pp.275-288..

[5] Foeken, D. and T. Dietz. "Of Ethnicity Manipulation and Observation: the 1992 and 1997 Elections in Kenya." Abbink, Jan and Hesseling, G. ed. *Election Observation and Democratization in Africa.* 2000. London: Macmillan. pp.142.

[6] Kagwanja, Peter Mwangi. "Facing Mount Kenya or Facing Mecca? The Mungiki, Ethnic Violence and the Politics of the Moi Succession in Kenya, 1987-2002." *African Affairs* 102 (2003). pp.25-49.

[7] Ibid.

[8] "Kenya Post Election Political Violence." *Global Campaign for Freedom of Expression*. December 1998.

forces. Senior ruling provincial officials also largely pardoned the KANU activists responsible for the unrest.[9] More Kikuyus were tried for crimes committed against Kalenjin in the Rift Valley, even though arguably more Kikuyus were targeted. The justice system and the police forces thus appeared to lack impartiality – further threatening the Kikuyu populations in the Rift Valley.[10] President Moi won the 1997 elections with 41 percent of the popular vote.

The 2002 Kenyan election presented a watershed moment in the nation's history as incumbent Moi had been term-limited out of office and could not stand for president. On December 27, 2002, 5.8 million voters participated in the country's election and ousted long-ruling KANU in favor of 15-party opposition coalition – the National Alliance Rainbow Coalition (NARC). NARC, led by veteran politician Mwai Kibaki, won 125 of 210 elected seats in the 224-member National Assembly. KANU representation plunged from 107 to 64 seats in the National Assembly.[11] Kibaki won 62 percent of the vote and more than 35 percent in all eight provinces. His strongest support came from Nairobi Western and Eastern Provinces. Uhuru Kenyatta performed best in KANU strongholds of the Rift Valley, where his image as Moi's protégé and a guardian of Kalenjin interest made him popular.[12]

Voter intimidation, bribery, and other irregularities were reported. Clashes in the border areas in western Kenya saw rural violence again. Raila Odinga was roughed up by opponents while campaigning in Kisii, and Uhuru Kenyatta's sister reportedly handed out money to women in Gachoka constituency. But other than small clashes, intimidation, and the usual bribery, the election was the most peaceful election in modern Kenyan history.[13]

Kibaki ultimately appointed a 24-person cabinet, much smaller than Moi's 40-member cabinet. While Moi's cabinet was composed of less educated and experienced members, Kibaki surrounded himself with skilled politicians. He did not, however, appoint Raila Odinga to a cabinet position as promised for shoring up the NDP vote.[14] A split between old NARC allies happened as soon as Raila Odinga made his ambition to

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[9] Ajulu, Rok. "Kenya's Democratic Experiment: The 1997 Elections." *Review of African Political Economy* 76 (1998). pp.275-288.

[10] "Kenya Post Election Political Violence." *Global Campaign for Freedom of Expression*. December 1998.

[11] Ndegwa, Stephen N. "Kenya: Third Time Lucky?" *Journal of Democracy* 14 (2003).pp.145-158.

[12] Anderson, David M. "Briefing: Kenya's Elections 2002 – The Dawning of a New Era?" *African Affairs* 102 (2003).pp.331-342.

[13] Ibid.

[14] Ibid.

rule Kenya one day known. He began to plot with about 20 members of the National Assembly, from the start.[15]

After the relative successes of the 2002 election, the international community was shocked by the political crisis that unfolded in Kenya after the December 27, 2007 election. Large-scale violence erupted on December 30, when incumbent Mwai Kibaki was declared the winner. The violence mostly took the form of ethnic conflict between those who had voted for Raila Odinga (Luo and Kalenjin) and those who voted for Kibaki (Kikuyu, Meru, and Embu). An estimated 1,500 people died and 500,000 were displaced, mainly in the Rift Valley, during the electoral violence, which raged until a power-sharing deal between Odinga and Kibaki was signed on February 28, 2008.[16]

Election Day proceeded largely in an orderly fashion. Polls leading up to the election gave Odinga a slight lead over Kibaki, and early returns showed an Odinga lead and confirmed several members of Kibaki's cabinet had lost their parliamentary seats. Odinga's lead, however, dwindled as results from Kibaki's stronghold Central Province were announced on December 29. Then, unexpectedly, on the evening of December 30 the Electoral Commission of Kenya (ECK) announced a narrow victory for Kibaki, who was sworn in one hour later. Two days later, ECK chairman Samuel Kivuito told journalists he was no longer sure of who won the elections.[17] The results that were announced gave 4.58 million votes to Kibaki versus 4.35 for Odinga, and 880,000 votes for Musyoka of the Orange Democratic Movement (ODM)-Kenya.[18]

Violence immediately after the election took several forms. First, after the ECK declared Kibaki the winner, seemingly spontaneous protests when by ODM supporters erupted, who expected a victory when early results favored Odinga. In urban Kenya, violence first started in Nairobi, Mombasa, Kisumu, and Nakuru. In rural Kenya, violence was concentrated in the Rift Valley, mostly in Eldoret. The initial wave of violence targeted those perceived to have voted for Kibaki, namely Kikuyus.[19] Soon more organized attacks were noted to be taking place. Party of National Unity (PNU) supporters started to organize to counter-attack, targeting mostly Luo. Kikuyu began to be violently evicted from Luo and Luhya territory. In the rural areas in particular, non-

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[15] Barkan, Joel D. "Kenya After Moi." *Foreign Affairs* 83 (2004).pp.87-100.

[16] Haeneit-Sievers, Axel and Ralph-Michael Peters. "Kenya's 2007 General Election and Its Aftershock." *Afrika Spektrum* 43 (2008). pp.133-144.

[17] Ibid.

[18] Ibid.

[19] Rutten, Marcel and Sam Owuor. "Weapons of Mass Destruction: Land, Ethnicity, and the 2007 Elections in Kenya." *Journal of Contemporary African Studies* 27 (2009).pp.305-324.

Kikuyus took the electoral violence that emerged in cities as an opportunity to chase the Kikuyus from their land.[20]

Politicians took advantage of these sentiments to flush the outsiders from their ancestral lands, which also conveniently killed off the hostile vote.[21] In most cases, police were understaffed or, in the worst cases, took sides and participated in the violence.[22] During the violence, the government brought the paramilitary General Service Unit (GSU) into the hotspots, and those forces clearly used excessive force, shooting more than a hundred people in Kisumu, in the middle of Odinga's ethnic heartland.[23] Despite repeated calls for a cessation of hostilities, violence raged on throughout January and February. Estimates place the total number of dead during this period at close to 1,500. According to the Waki Commission, the international body created to investigate the 2007/8 post-election violence, while some of the initial fatalities were the result of spontaneous rioting, many of the deaths were due to attacks planned by politicians and business leaders.[24] This was especially true in Rift Valley, Central Province, and Nairobi.[25]

On February 28, 2008, Kibaki and Odinga signed a power-sharing agreement, the National Accord, mediated by former UN Secretary General Kofi Annan as the head of an African Union Panel of the Wise. The National Accord established a coalition government in which cabinet ministers were appointed according to the strength of the parties in the National Assembly. Raila Odinga was appointed to the newly created post of prime minister. In an effort to promote peace and prevent future violence, Kenyans approved a new constitution in August 2010. Major provisions include the reduction of power of the executive in favor of the legislature and judiciary and the decentralization of political power to increase the autonomy of local government.[26] Since the formation of the coalition government in 2008, there has been much political wrangling between the

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[20] Rutten, Marcel and Sam Owuor. "Weapons of Mass Destruction: Land, Ethnicity, and the 2007 Elections in Kenya." *Journal of Contemporary African Studies* 27 (2009). pp.305-324.

[21] Rutten, Marcel and Sam Owuor. "Weapons of Mass Destruction: Land, Ethnicity, and the 2007 Elections in Kenya." *Journal of Contemporary African Studies* 27 (2009). pp.305-324.

[22] Ibid.

[23] Haeneit-Sievers, Axel and Ralph-Michael Peters. "Kenya's 2007 General Election and its Aftershock." *Afrika Spektrum* 43 (2008). pp.133-144.

[24] "The Waki Report." 2008. The Commission of Inquiry on Post-Election Violence.

[25] Ibid.

[26] Kramon, Eric and Daniel N. Posner. 2011. "Kenya's New Constitution," *Journal of Democracy* 22, 2: 89-103.

PNU and ODM, and concerns remain that the old fault lines – in the Rift Valley in particular – could bring significant violence to the country again in 2013.[27]

Patterns of Violence in 2007

Since the jarring events of 2007/2008, there have been several explanations as to the underlying causes of Kenya's election-related violence. Some have attributed the violence as a response to highly competitive elections and fraudulent results.[28] Others point to Kenya's weak political institutions and centralized presidency as major contributing factors.[29] According to another explanation, the violence was fueled by rising expectations created by the increase in democratic space experienced during the 2002 election and subsequent years that pushed Kenyans over the edge when that space was curtailed in 2007.[30] Still others believe that the violence was essentially a land-based conflict that the political elite manipulated and stoked to affect the election.[31]

In order to understand the violence that occurred in 2007/2008, it is important to first describe its occurrence. The 2007 election was affected by both pre-election violence and post-election violence, the latter being more intense and deadly than the former. This difference between pre-election and post-election violence is significant. In the abstract, pre-election violence is meant to influence voter behavior (namely vote choice and/or voter turnout) before an election. Post-election violence, however, occurs after an election and can be used as a way to punish victors and their supporters. It can also be used to force victors into negotiations with losers to share political power after an election.

In 2007, Kenya's eight provinces were subdivided into 68 districts. Each district contained between one and eight constituencies (matching legislative seats) for a total of 210 constituencies. Elections for the National Assembly took place at the constituency level. Table 1 displays the frequency of pre-election and post-election violence[32] across

[27] Mueller, Susanne D. "Dying to Win: Elections, Political Violence, and Institutional Decay in Kenya." *Journal of Contemporary African Studies* 29 (2011). pp.99-117.

[28] Dercon, Stefan & Gutiérrez-Romero, Roxana, 2012. "Triggers and Characteristics of the 2007 Kenyan Electoral Violence," World Development, vol. 40(4), pp. 731-744.

[29] Mueller, Susanne D. 2008. "The Political Economy of Kenya's Crisis," *Journal of Eastern African Studies* 2, 2: 185-210.

[30] Rutten, Marcel and Sam Owuor. "Weapons of Mass Destruction: Land, Ethnicity, and the 2007 Elections in Kenya." *Journal of Contemporary African Studies* 27 (2009).pp.305-324.

[31] Boone, Catherine. 2011. "Politically Allocated Land Rights and the Geography of Electoral Violence: The Case of Kenya in the 1990s," *Comparative Political Studies* 44, 10: 1311-1342.

[32] Data taken from the Armed Conflict Location and Event Dataset. Data report incidences of violence (including armed conflict, destruction of property, riots and protests) but do not take into account the intensity or duration of conflicts and do not include data on number of fatalities.

Kenya's districts and provinces[33] and the total vote support for the two main presidential candidates, Kibaki and Odinga. Of Kenya's 68 districts, slightly fewer than half (31) experienced some form of pre-electoral violence. Pre-electoral violence occurred across Kenya's eight provinces with no obvious pattern. No province was spared the occurrence. Also interesting to note, at first glance, pre-electoral violence does not seem related to the competitiveness of the presidential election. Highly competitive provinces (Nairobi) and uncompetitive provinces (Central) were both venues for violence.

Table 1. Electoral Violence Frequency and Vote Choice in Kenya's Provinces, 2007/8[34]

Province	Majority Ethnic Group	Pre-Election Violence (Percent of Districts)	Presidential Support	Post-Election Violence (Percent of Districts)
Central (7 districts)	Kikuyu	57%	Kibaki (97%), Odinga (1.5%)	14%
Coast (7 districts)	Mijikenda, Taita-Taveta	43%	Odinga (57%), Kibaki (35%)	43%
Eastern (11 districts)	Somali	45%	Kibaki (52%), Odinga (13%)	0%
Nairobi (1 district)	None	100%	Kibaki (48%), Odinga (44%)	100%
North Eastern (4 districts)	Somali	25%	Kibaki (52%), Odinga (47%)	0%
Nyanza (12 districts)	Luo and Kisii	42%	Odinga (79%), Kibaki (20%)	42%
Rift Valley (18 districts)	Kalenjin	44%	Odinga (68%), Kibaki (30%)	50%
Western (8 districts)	Luhya	50%	Odinga (71%), Kibaki (27%)	50%

Moving beyond the provincial level, at the district level (68 total districts) there is no statistically significant correlation between competiveness of the 2002 or 2007 presidential election results and the incidence of electoral violence.[35] Other possible factors affecting pre-electoral violence including poverty rate and support for Kibaki were also not significantly related to the violence. Interestingly, there is a marginally significant relationship between competitiveness in 2002 *parliamentary* elections and the incidence of electoral violence prior to the 2007 election. Electoral districts with more competitive legislative contests in the previous election were more prone to experience violence in the subsequent election in 2007. It seems likely that pre-electoral violence in 2007 was a byproduct of legislative competitiveness rather than competition over the

[33] Data not available at the constituency level.

[34] Data taken from ACLED.

[35] Based on logistic regression analysis. See Appendix E for results.

presidency. It should be noted that Kenya's parliamentarians are among the highest paid in Africa, receiving approximately $10,000 untaxed per month.[36]

Incidences of post-election violence also display some interesting patterns. Post-election violence did not affect Kenya evenly. Two provinces were spared the violence that occurred after the election: Eastern and North Eastern. Both provinces voted marginally for Kibaki and both have majority Somali populations. Central Province, a Kibaki stronghold, experienced less post-election violence than most other provinces. While much of the violence (and the fatalities) was concentrated in Rift Valley Province, this was by no means the only place were post-election violence took place as Coast, Nairobi, Nyanza, and Western Provinces were also heavily affected by post-election violence. Support for Odinga (at the district level) was significantly related to post-election violence: meaning that districts that supported Odinga recorded more violent events than did districts that did not support Odinga. This suggests that post-election violence was largely a tool of the losing candidate. Additionally, pre-election and post-election violence are highly correlated (50 percent) at the district level meaning that those districts that experienced pre-election violence were much more likely to experience post-election violence than those that experienced no such violence before the election.[37] It could be that pre-election violence creates tensions that are easily primed again after an election. The implication for identifying areas susceptible to post-election violence would be to focus on those areas previously targeted for pre-electoral violence in the event that post-election violence breaks out.

Table 2 reports data on fear of political violence across the nine most populous ethnic groups in Kenya. The data come from an Afrobarometer survey conducted late in 2008 after the violence had subsided. All of the ethnic groups had a sizable portion of respondents reporting fear of political violence, but there are some striking differences across the groups. Of the nine ethnic groups, Luo and Kisii respondents were most likely (53 percent and 56 percent, respectively) to report fearing political violence "a lot." Of the Kikuyu surveyed, 37 percent reported fearing political violence "a lot." Kalenjin respondents were almost half as likely (26 percent) as Luo respondents to report fearing political violence "a lot." This gives support to the finding that while no one group was spared from the electoral violence that occurred in 2007/2008 in Kenya, Odinga's Luo supporters may have been disproportionately affected or involved.

Another way to contextualize the violence surrounding Kenya's 2007 election is by examining the partisanship of the electorate. While it is easier to distill vote choice in Kenya as akin to an ethnic census, there is evidence that vote choice in 2007 was a

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[36] "Kenya President Mwai Kibaki Rejects MPs' Bonus Attempt," *BBC News* October 9, 2012 http://www.bbc.co.uk/news/world-africa-19892524 Accessed Nov 2012.

[37] Based on logistic regression analysis. See Appendix E for results.

combination of ethnic concerns and policy concerns.[38] Approximately 50 percent of voters cast their ballot with their co-ethnic (in 2007 Kibaki received 94 percent of the Kikuyu vote, Odinga received 99 percent of the Luo vote, and Musyoka received 82 percent of the Kamba vote), but the remaining 50 percent use performance-based criteria to inform their vote choice.[39]

Table 2. Ethnicity and Fear of Political Violence, 2008

Ethnic Group	Fear Political Violence "A Lot" (2008)
Kikuyu	37%
Luhya	40%
Kalenjin	26%
Luo	53%
Kamba	30%
Somali	35%
Kisii	56%
Mijikenda	31%
Meru	44%

Political parties in modern Kenya have typically been weak and fluid, as evidenced by the shifting party coalitions and factions of the 1990s. NARC was no exception. Part of its weakness can be attributed to its founding motivation: it was organized around what it opposed, not what it stood for. NARC weakness was compounded by Kibaki's absentee governing style. Moi micromanaged all aspects of governance, Kibaki appointed competent people and gave them free reign. The absence of a strong hand at the center of government meant that soon prominent leaders pursued their own agendas.[40]

Table 3 reports partisan identification (PID) over time across the nine most populous ethnic groups in Kenya. It demonstrates how fluid or weak partisan identification is in Kenya and the shifting ethnic alliances that have taken place from 2002 to 2008. The slight majority of Kikuyu supported NARC but after the dissolution of the coalition and the events of 2007, only 38 percent of Kikuyu remained with Kibaki's PNU. The Kalenjin, directly after the 2007 election, supported ODM in large numbers (73 percent) but a plurality had previously been part of NARC and KANU. The most

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[38] Bratton, Michael and Mwangi S. Kimenyi. "Voting in Kenya: Putting Ethnicity in Perspective," *Afrobarometer Working Paper* No. 95. http://m.idasa.org/media/uploads/outputs/files/Afrobarometer%20no.%2095%20-%20Voting%20in%20Kenya.pdf Accessed Dec 2012.

[39] Long, James.

[40] Barkan, Joel D. "Kenya After Moi." *Foreign Affairs* 83 (2004).pp.87-100.

striking feature of partisan identification in Kenya might be how few Kenyans actually report being close to any political party: *only 50 percent of those surveyed identified with any political party*.

Table 3. PID and Ethnicity, 2002-2008[41]

Ethnic Group	PID (2002)	PID (2005)	PID (2008)
Kikuyu	NARC (56%); None (31%)	NARC (51%); None (34%)	PNU (38%); None (51%)
Luhya	NARC (40%); None (40%)	NARC (27%); None (46%)	ODM (53%); None (39%)
Kalenjin	NARC (46%); None (30%)	KANU (31%); None (39%)	ODM (73%); None (22%)
Luo	NARC (42%); None (32%)	LDP (52%); None (32%)	ODM (84%); None (14%)
Kamba	NARC (76%); None (17%)	NARC (42%); None (38%)	ODM-K (59%); None (23%)
Somali	NARC (42%); None (40%)	NARC (17%); None (58%)	ODM (51%); None (39%)
Kisii	NARC (38%); None (19%)	NARC (22%); None (46%)	ODM (54%); None (29%)
Mijikenda	NARC (46%); None (50%)	NARC (26%); None (48%)	ODM (47%); None (35%)
Meru	NARC (67%); None (28%)	NARC (80%); None (2%)	PNU (47%); None (24%)

The weakness of partisan identification can most certainly be attributed to the weakness of political parties. Table 3 also depicts how political parties and coalitions in Kenya change quickly from election to election. NARC, the largest party/coalition in 2002, fell apart and led to the creation of a new political party, the PNU, ahead of the 2007 election. PNU, with less than 2 percent political support today,[42] has entered into a political pact with the National Alliance (TNA). KANU, founded in the 1950s, ruled Kenya from independence until 2002. Today it is irrelevant. In the absence of strong parties, on what can voters base their decision? The lack of continuity or durability of political parties suggests that parties are less important than political leaders. Raila Odinga, for example, has been a member of KANU, Ford-Kenya, NDP, NARC, and ODM. Furthermore, without a strong party apparatus to assist in voter mobilization, what do aspiring politicians use to mobilize voters? Ethnicity is an easy and obvious campaign tool. This relationship between weak parties, personalized elections, and the primacy of ethnicity is self-reinforcing, and it plays a role in understanding electoral violence in Kenya. It alone, however, does not explain the long history of electoral violence in Kenya.

[41] Data on partisan identification taken from Afrobarometer Survey Data, Rounds 2, 3 and 4.

[42] IPSOS Synovate http://www.synovate.co.ke/home/ Accessed Jan 2012.

To what can we attribute the violence in 2007/8? Because violence was not as concentrated as some anecdotal reports have suggested, it cannot be understood as simply the extension of a land dispute in the Rift Valley. Pre- and post-election violence affected approximately half of the country. While there is no doubt that this existing grievance/conflict could have been used to inflame tensions and mobilize for violence, it is not the only or primary factor precipitating the violence. The competitiveness of legislative elections in the previous election mattered to some extent, but the closeness of the presidential election seemingly did not. Furthermore, although the post-election violence of 2007/8 was more serious and fatal than in previous elections, violence has accompanied all previous elections. In order to explain the persistence of electoral violence, we need to look to factors that have also endured or persisted in Kenya. The most likely culprits are weak political institutions – including political parties – but also the electoral commission (which has frequently been manipulated by the executive) and the relatively weak (in comparison to the executive) legislature and judiciary.

The weakness of the judiciary is particularly problematic since few of the perpetrators of election-related violence have been brought to justice. On March 4, 2013, Kenyans are scheduled to return to the polls to vote in presidential, legislative, and local elections. The two most prominent contenders for the presidency are Uhuru Kenyatta, son of former president Jomo Kenyatta, and Raila Odinga, who lost the 2007 election to Kibaki. Each is polling approximately 35 percent of the vote.[43] Kenyatta has enlisted William Ruto, a Kalenjin, as his running mate while Odinga has allied himself with Muyoka, a Kamba. Kenyatta and Ruto are facing indictment by the International Criminal Court (ICC) for their involvement in the 2007/8 post-election violence. Odinga has somehow evaded ICC accusation despite having been implicated by the findings of the Waki Report as present at the planning of violence as a post-election response.[44] His name, however, was not one of the 11 turned over to the ICC by the Waki Commission.[45] It was alleged in the Waki Report that Kenyatta enlisted Mungiki gang members to carry out attacks before and after the 2007 election.[46] There are rumors that he has been working with Mungiki members again although he has staunchly denied any such relationship.[47]

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[43] Data from IPSOS Synovate (http://www.ipsos.co.ke/home/)

[44] Waki Report. http://www.knchr.org/Portals/0/Other%20Reports/Waki_Report.pdf Accessed Dec 2012.

[45] Mugonyi, David. "ODM Defies Raila and Rejects Waki Report," *Daily Nation* October 30, 2008. http://www.nation.co.ke/News/-/1056/485652/-/item/0/-/229a1bz/-/index.html Accessed Dec 2012.

[46] "The Waki Report."

[47] "TNA Says Ex-Mungiki Leader 'Not Welcome' to Party," *The Daily Nation* October 25, 2012. http://www.nation.co.ke/News/politics/TNA-says-exmungiki-leader-not-welcome-to-party/-/1064/1598004/-/nccfbez/-/index.html Accessed Jan 2012.

The current field of presidential candidates forces the question: what are the consequences of using electoral violence as a campaign strategy? The Kenyan judiciary has yet to try anyone for the election related violence in 2007/8 but has recently announced the creation of a special court to try mid-level actors, exempting those who are currently indicted by the ICC.[48] There are currently 5,000 low-level operatives accused in the 2007/2008 violence, but none have been tried. The 2010 Constitution specifically attempts to address these weaknesses of the legislature and judiciary, but it remains to be seen how well these changes will be implemented ahead of the election. One key institutional change – requiring presidential candidates to receive a majority of votes (50 percent plus 1) – might alter campaign strategies, and hence the use of violence, but only at the presidential level. Because electoral violence is also a byproduct of legislative contests in Kenya, it is unlikely that the major constitutional reforms will forestall pre-election violence.

Although the exact tickets have not yet been announced, as of early December, it appears that Prime Minister Raila Odinga and Vice President Steven Musyoka have allied under the Coalition for Reforms and Democracy (CORD) banner to contest the 2013 election.[49] Uhuru Kenyatta, William Ruto, and Deputy Prime Minister Musalia Mudavadi created the Jubilee Coalition to contest the election, but the coalition fell apart in late December as the parties were unable to agree on a presidential candidate and Mudavadi withdrew his support. For the time being it appears that Kenyatta and Ruto remain allied. These configurations have set up a likely Kalenjin/Kikuyu ethnic coalition. It is not known whether an anti-Kalejnin/Kikuyu coalition will emerge as a counterbalance to dislodge the political hegemony of these two groups who have ruled Kenya since independence. If so, the ethnic component of Kenya's election could become even more pronounced and virulent.

Conclusion

In the early days of Kenyan politics, the Kalenjin and Luhya supported the Kenya African Democratic Union (KADU), in opposition to KANU. After the merger of KANU and KADU in 1966, Daniel arap Moi, a Kalenjin from Rift Valley, became vice president, signifying a reordering of ethnic politics. Under colonialism and Kenyatta's rule, the Kikuyu and Luo were often allied. This alliance fell apart, however, after the merger of KANU and KADU. First Vice President Jaramongo Oginga Odinga, a Luo, attempted to pull his Kenyan Peoples Union (KPU) from the umbrella KANU. KPU was subsequently banned and Odinga imprisoned. After the death of Kenyatta and the

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[48] Jennings, Simon and Thomas Bwire. "Kenyan Chief Justice Announces Special Court," *AllAfrica* December 10, 2012 http://allafrica.com/stories/201212101991.html Accessed Dec 2012.

[49] "CORD Hints at Endorsing PM Odinga for Race," *Daily Nation* 9 December 2012. http://www.nation.co.ke/News/politics/-/1064/1640038/-/ah5kkl/-/index.html Accessed Dec 2012.

assumption of power by Moi in 1978, political power shifted from the Kikuyu to the Kalenjin, creating new ethnic antagonisms. In the early 1990s, the Kikuyu and Luo political elite established FORD in order to force Moi to accede to their calls for multiparty elections. Moi argued that multipartism would inflame ethnic tensions. The 1992 coalition was fragile and ultimately fell apart in the days leading up to the election. In 2002, Kikuyu and Luo leadership again allied to defeat the ruling party candidate Uhuru Kenyatta, son of first president Jomo Kenyatta. During the 2007 election, Kikuyu and Kalenjin and Luo politicians incited their respective followers to violence against each other's supporters. The Luo and Luhya allied against the Kikuyu. In 2012, Kikuyu and Kalenjin have allied against Luo and Kamba. Co-ethnics might be likely to vote based on the presidential and vice presidential candidates, but neither ticket can win based on ethnicity alone.

Despite the new constitution and the reforms that have taken place, there are still fears that 2013 could mirror 2007 in terms of election violence. Are these fears founded? Figure 1 reports some of the more prominent attacks that have occurred in the run-up to the 2013 election. In Garissa[50] and Eastleigh,[51] a suburb of Nairobi, violent attacks have taken place against Kenyan security personnel and citizens alike. Although some have tried to tie these attacks to the upcoming elections, it is more than likely that these attacks are part of the backlash against Kenya for its involvement in Somalia. In August, clashes in Tana River between Orma and Pokomo were responsible for the deaths of more than a hundred. Many commentators believe this conflict to be directly related to the 2013 parliamentary elections in Garsen, Bura, and Galole constituencies.[52] There is evidence that this violence was carefully orchestrated, that a fundraiser was held to finance it, and that a militia was specifically trained.[53] In January, conflict again broke out in Tana River leaving more than 20 dead.[54] Despite appeals by local leaders, it is likely that violence related to the election will continue to plague Tana River.[55] No electoral violence, before or after the election, occurred in Tana River in 2007. Shem Kwega, a candidate for

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[50] Ombati, Cyrus. "Fresh Violence Rocks Garissa," *The Standard* November 20, 2012. http://www.standardmedia.co.ke/?articleID=2000071077&story_title=fresh-violence-rocks-garissa Accessed Jan 2012.

[51] "Blasts Rock Nairobi Neighbourhood," *Al Jazeera* December 16, 2012 http://www.aljazeera.com/news/africa/2012/12/2012121619402585826.html Accessed Dec 2012.

[52] Babo, Awadh. "Tana River Violence Linked to Next Elections," *The Standard* September 16, 2012. http://www.standardmedia.co.ke/?articleID=2000066271&story_title=county_coast:%20Tana%20River%20violence%20linked%20to%20next%20elections Accessed Oct 2012.

[53] Ndonga, Wambui. "Kenya: Militia Was Trained for Tana Killings – Human Rights Body," *AllAfrica* 28 November 2012 http://allafrica.com/stories/201211281134.html

[54] Mayabi, Lordrick. "Kenya: Tana River Leaders Vow to End Bloodshed," *AllAfrica* January 14, 2013 http://allafrica.com/stories/201301142539.html?page=2 Accessed Jan 2013.

[55] Ibid.

parliament from Kisumu and a political ally of Raila Odinga, was assassinated in late October. It is extremely likely that this pre-election violence, meant to intimidate, disrupt, and displace, will continue until the election. There are indications that Lamu, a strategic port city that will be undergoing significant infrastructure development in the near future,[56] and Marsabit[57] could be potential targets of pre-election violence as well. If post-election violence breaks out, these areas could potentially be venues for violence as well.

Figure 1. Preliminary Reports of Pre-Election Violence, 2012

It is also important to contextualize 2013 alongside Kenya's previous electoral contests. Table 4 compares the 1992, 1997, 2002, 2007, and 2013 elections. Electoral violence has occurred before every election in Kenya since 1992 and 2013 is no exception. There are commonalities between 2007 and 2013, too: namely, weak political parties, weak institutions, and a likely close election. There are, however, major differences between 2007 and 2013 that should prevent a recurrence of large-scale post-election violence. The Kikuyu/Kalenjin political coalition should mitigate any remaining ethnic antagonisms from 2007. Additionally, the fact that no incumbent is running for president (like 2002) means that it would be more difficult to manipulate state resources in favor of one candidate over another. Finally, the increased international attention focused on Kenya's elections makes large-scale post-election violence, as was seen in

[56] Beja, Patrick. "State Invites Bids for Lamu Port Project," *The Standard* December 28, 2012. http://www.standardmedia.co.ke/?articleID=2000073779&story_title=Kenya-State-invites-bids-for-Lamu-port-project Accessed Jan 2012.

[57] "Probe Violence, Gabow Says," *The Star* December 5, 2012. http://www.the-star.co.ke/news/article-98323/probe-violence-gabow-says Accessed Jan 2012.

2007/8, unlikely. This is a high-profile election with long-term international election monitors from the African Union and East African Community, among others, already in place. Websites such as Uchaguzi, Frontline SMS, and Ma Vulture have been created to use crowd sourcing to monitor electoral violence. This election has already received significant domestic and international media attention, and it is still months away.

Table 4. Elections and Electoral Violence in Kenya

	1992	**1997**	**2002**	**2007**	**2013**
Ethnic coalitions	Kalenjin v Kikuyu	Kalenjin v Kikuyu	Kikuyu Coalition (w Luo) v Kikuyu	Kikuyu v Luo/Kalenjin	Kikuyu/Kalenjin v Luo/Kamba
Parties	KANU v FORD-Asili	KANU v DP	NRC v KANU	PNU v ODM	TNA/Jubilee v ODM/CORD
Incumbent	Y	Y	N	Y	N
Competitive	Y (36% v 26%)	Y (41% v 31%)	N (61% v 30%)	Y (46% v 44%)	Y*
Exec Power	Centralized	Centralized	Centralized	Centralized	Decentralized*
Political Party Weakness	Ruling: No Opp: Yes	Ruling: No Opp: Yes	Ruling: No Opp: Yes	Ruling: Yes Opp: Yes	Ruling: Yes Opp: Yes
Pre-Election Violence	Y	Y	Y	Y	Y
Post-Election Violence	N	N	N	Y	N*

*Most Likely Outcome

Given Kenya's extensive history of electoral violence, however, the possibility of post-election violence cannot be entirely ruled out. The ICC trial against four alleged perpetrators of the post-election violence (William Ruto, Uhuru Kenyatta, Francis Muthaura, and Joshua Arap Sang) is scheduled to begin in April 2013. The trial itself is the subject of much controversy in Kenya. According to a November survey, 41 percent of Kenyans polled believe that Kenyatta and Ruto should not contest the 2013 election due to their pending trial at the ICC; 39 percent believe they should contest but resign if they win and are found guilty; 20 percent believe that the ICC trial should be ignored completely.[58] In early December, Kofi Annan urged Kenyan voters not to vote for candidates scheduled to be tried by the ICC, provoking the ire of several politicians including Kenyatta.[59]

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[58] "SPEC Barometer Survey" *Ipsos Public Affairs* November 20, 2012 http://www.synovate.co.ke/spr/index.php/reports/?page=polls Accessed Dec 2012.

[59] Geoffrey, Mosoku. "Leaders Prop Mudavadi as Compromise Candidate," *The Standard* December 6, 2012 http://www.standardmedia.co.ke/?articleID=2000072228&story_title=Kenya-Leaders-prop-Mudavadi-as-compromise-candidate Accessed Dec 2012.

How does the upcoming ICC trial affect the March 2013 election and the likelihood of violence? First, there are some who believe that Kenyatta and Ruto are participating in the election only to evade ICC trial and possible conviction.[60] If Kenyatta and Ruto were to win, they would be in position to avoid ICC jurisdiction either by working through the National Assembly or by following the lead of another African leader who has been indicted by the ICC: President of Sudan Omar al-Bashir. Although he has been refused entry to a handful of countries due to the arrest warrant issued by the ICC, he has still been able to travel around the continent to other countries, including Kenya. In the case of a Kenyatta/Ruto and their allies' victory, Raila Odinga could potentially rally his Luo supporters (as he reportedly did in 2007/8), but, with such intense international and domestic scrutiny on Kenya, it is unlikely he has the political space to maneuver as such. In the event of an Odinga victory, it is also unlikely that Odinga would be willing to hand over Kenyatta and Ruto due to the precedent it would set. If the political elites in Kenya are subject to international jurisdiction for their election-related crimes, it could potentially implicate dozens of politicians, if not more. Given the impunity Kenya's political elites have thus far enjoyed, it is unlikely that Odinga will facilitate prosecution for the alleged perpetrators of Kenya's 2007/8 election violence.

Pre-election violence will continue in Kenya prior to the March 2013 election, but it is unlikely that post-election violence will manifest. If the Kenyatta/Ruto ticket (currently labeled the Jubilee coalition) wins, it is possible that there will be anti-Kikuyu/Kalenjin backlash since these two ethnic groups have held exclusive domain over executive power in post-colonial Kenya. This would, however, require Odinga again to mobilize and plan post-election attacks. Given the heightened attention to Kenya's election by domestic and international monitors, it is unlikely that Odinga will have the opportunity to plan such activity without detection or immediate response. In the event that Odinga and CORD win the presidency, Kenyatta and Ruto, fearing ICC punishment, could threaten violence either to force their way into a partnership with the new government or to encourage Odinga to fight their extradition. But Odinga, also a party to the 2007/8 violence, has little reason to turn over either Kenyatta or Ruto. While there is much at stake in this election and violence has been and will continue to be used as an electoral strategy, a repeat of the intensity of the 2007/8 violence, which left more than 1,500 dead and 500,000 displaced, is unlikely.

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[60] "Shotgun Wedding Season," *Africa Confidential* December 14, 2012 Vol 53, No. 25: 4.

Appendix A: History of Ethnic Politics in Kenya

Ethnicity has long been important for understanding politics and governance in Kenya. Under colonialism (1895 to 1963), the British governed the Kenyan territory through a policy referred to as "divide and rule." The British found Kenya (and its other colonies) easier to rule if the population was divided into small, homogenous groups as opposed to a larger, unified group.[1] The British reinforced ethnic differences and, in some cases, helped to create new ethnic groups such as the Meru, which was a combination of several distinct tribes including Tigania, Imenti, and Muthambi.[2] For the most part, it proved an efficient and effective method of administration as it prevented the Kenyan population from effectively opposing colonial rule, the exception being the Kikuyu-dominated Mau Mau rebellion in the 1950s. At independence, it was estimated that Kenya had more than 40 tribes but that more than half of the Kenyan population came from four tribes: Kikuyu, Luo, Luhya, and Kamba.[3] See Appendix **A** for a detailed listing of Kenya's demographic composition during the colonial period, at independence, and recent estimates.

The largest ethnic group – the Kikuyu – has only ever comprised approximately 20 percent of the population, thus creating the necessity for some level of ethnic cooperation. While ethnic fragmentation is not inherently problematic in Kenya, it has been very important in explaining political pacts and elite-level alliances, in part, because ethnicity is an easy and obvious political identity to mobilize action around. In Kenya, ethnicity is also concentrated in administrative units. Prior to independence, the British assisted the Kenyans in creating administrative districts that were drawn around existing ethnic settlements. For example, Nyanza Province, comprising mostly Luo, Western Province was dominated by the Luhya, and Central Province was largely populated by Kikuyu.[4] These ethnically based provinces and districts have remained largely intact

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[1]   Omolo, Ken. 2002. "Political Ethnicity in the Democratization Process in Kenya," *African Studies* 61, 2: 209-221.

[2]   Weber, Anke. 2009. "The Causes of Politicization of Ethnicity: A Comparative Case Study of Kenya and Tanzania," *CIS Working Paper* (No. 47, 2009). p. 11.

[3]   Morgan, William T. W. 2000. "The Ethnic Geography of Kenya on the Eve of Independence: The 1962 Census," *Erdkunde* 54, 1: 76-87.

[4]   Fox, Roddy. 1996. "Bleak Future for Multi-Party Elections in Kenya," *Journal of Modern African Studies* 34, 4: 597-607.

throughout post-colonial Kenya and have helped to promote ethnicity as a basis for political mobilization.[5]

Figure A-1 depicts Kenya's eight administrative provinces and ethnic population concentrations as of 2007. Despite its importance in understanding Kenyan politics, ethnicity is hardly fixed; it is fluid and has changed based on the political imperatives of the times. For example, the Kalenjin are a relatively new ethnic group, "created" in the 1950s as a merger of Nandi speakers and the Kipsigis in the Rift Valley.[6] The malleability of ethnic identity is particularly true when looking at ethnic alliances that have existed in multiple different permutations over time. In post-colonial politics, Luo leadership at times have allied with Kikuyu against Kalenjin leadership; at other times have allied with Kalenjin leadership against the Kikuyu. Kikuyu leadership is currently allied with Kalenjin leadership – the Jubilee Alliance that brings together Uhuru Kenyatta, a Kikuyu, and William Ruto, a Kalenjin – in order to contest the 2013 election against a coalition of Luo, Kamba, and Luhya. Coalition for Reforms and Democracy (CORD) brings together Raila Odinga, a Luo; Kalonzo Musyoka, a Kamba; and Moses Wetangula, a Luhya. These shifting alliances and coalitions contrast the view that Kenya's ethnic feuds are hardened and long standing. Rather, they are strategic calculations that change depending on the political environment.

Even before independence was granted in 1963, two political movements loosely grouped along ethnic lines formed: the Kenya African National Union (KANU) and the Kenya African Democratic Union (KADU). Support for KANU came primarily from Kikuyu and Luo while support for KADU was concentrated among several smaller ethnic groups in the Rift Valley Province, the Luhya of Western Province, and the Mijikenda of Coast Province.[7] KANU was an alliance of the educated, urban, and more politically mobilized groups. The KADU base was mostly uneducated and rural.[8] This fault line – of educated and wealthy Kikuyu and their allies versus the smaller rural groups of the Rift Valley – persisted until at least 2007.

[5]   Alwy, Alwiya and Susanne Schech. 2004. "Ethnic Inequalities in Education in Kenya," *International Education Journal* 5, 2: 266-274.

[6]   Lynch, Gabrielle. 2011. *I Say to You: Ethnic Politics and the Kalenjins in Kenya*. Chicago: University of Chicago Press.

[7]   Foeken, D. and T. Dietz. "Of Ethnicity Manipulation and Observation: the 1992 and 1997 Elections in Kenya." Abbink, Jan and Hesseling, G. ed. *Election Observation and Democratization in Africa.* 2000. London: Macmillan. pp.123.

[8]   Barkan, Joel. "Kenya: Lessons From a Flawed Election." Journal of Democracy 4 (1993). pp.85-99.
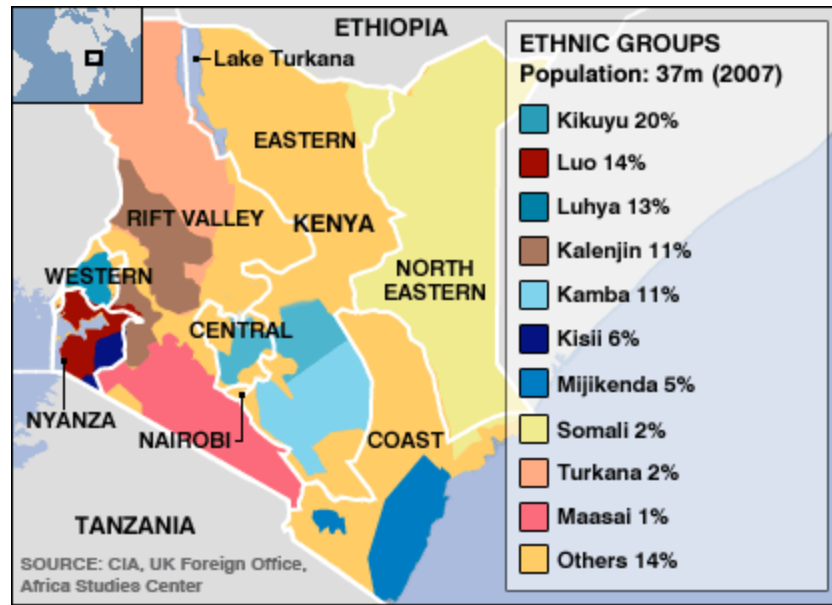
Figure A-1. Ethnicity and Administrative Districts in Kenya

KANU formed Kenya's first independent government under the leadership of Jomo Kenyatta. As the first Kenyan president, Kenyatta, a Kikuyu, consolidated power in an attempt to create a one-party state. He promised position and patronage to KADU members who defected, and in 1964 forced a merger between the two parties, eliminating KADU. In 1966, former KADU leader Daniel arap Moi, a Kalenjin, was appointed vice-president.[9] Resentment of the merger led to the creation of the Kenyan Peoples Union (KPU), which was headed by former vice president (1964-65) Jaramogi Oginga Odinga, a Luo and father of Raila Odinga. The KPU was banned, and its leaders were imprisoned in 1969, at which point Kenya became a de facto one-party state.[10]

During his time as president, Kenyatta played ethnic favoritism, appointing Kikuyu almost exclusively to important cabinet positions and other high ranking political offices such as the heads of the central bank, civil service, and police.[11] Kenyatta died in 1978 and was succeeded by Daniel arap Moi. Under Moi's leadership, political and economic power shifted to the Kalenjin.[12] Moi sought to overturn what he saw as an unequal distribution of wealth and resources in Kenya, and diverted public expenditure on roads, water, health, and education away from Kikuyu-dominated Central Province to the

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[9] Barkan, Joel. "Kenya: Lessons From a Flawed Election." *Journal of Democracy* 4 (1993). pp.85-99.

[10] Foeken, D. and T. Dietz. "Of Ethnicity Manipulation and Observation: the 1992 and 1997 Elections in Kenya." Abbink, Jan and Hesseling, G. ed. *Election Observation and Democratization in Africa.* 2000. London: Macmillan. pp.124.

[11] Omolo, Ken. 2002. "Political Ethnicity in the Democratization Process in Kenya," *African Studies* 61, 2: 209-221.

[12] Foeken, D. and T. Dietz. "Of Ethnicity Manipulation and Observation: the 1992 and 1997 Elections in Kenya." Abbink, Jan and Hesseling, G. ed. *Election Observation and Democratization in Africa.* 2000. London: Macmillan. pp.123.

Kalenjin-dominated Rift Valley and other provinces.[13] In 1982, Moi pushed through a constitutional amendment that made Kenya a de-jure one party state.

Moi's mismanagement of the economy and his monopolization of power alienated large segments of the population.[14] In the late 1980s, senior members of the Kenyan political establishment and Moi's inner circle began to call for political reform. The first was Kenneth Matiba, a Kikuyu cabinet member and businessman, who resigned in 1988. In May 1990, Matiba and Charles Rubia, another minister, urged the return to multiparty politics. They were quickly detained, but riots broke out in Nairobi in July. Moi argued against multiparty elections, arguing that electoral competition would cause ethnic conflict. In August 1991, Jaramogi Oginga Odinga, the political leader of the Luo and former vice-president under Kenyatta, joined with eight other opposition leaders including recently freed Matiba and Rubia, to form the Forum for the Restoration of Democracy (FORD). With the formation of FORD, the restoration of the early KANU Kikuyu-Luo alliance under Kenyatta returned.

The international donor community also began to worry about the deterioration of democracy in Kenya, a donor success story until that point.[15] The final push for the repeal on the constitutional ban on parties came in the form of a warning by Kenya's bilateral donors at a November 1991 meeting of the Consultative Group (CG) in Paris. Convinced that economic growth required political reform, donors established political conditions for assistance and began directly funding Kenyan civil society. Two weeks after the CG meeting, Moi announced the ban on parties would be lifted immediately.[16]

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[13] Barkan, Joel. "Kenya: Lessons from a Flawed Election." *Journal of Democracy* 4 (1993). pp.85-99.

[14] Barkan, Joel. "Kenya: Lessons from a Flawed Election." J*ournal of Democracy* 4 (1993).pp. 85-99.

[15] Klopp, Jacqueline M. 2002. "Can Moral Ethnicity Trump Political Tribalism? The Struggle for Land and Nation in Kenya," *African Studies* 61, 2: 269-294.

[16] Barkan, Joel. "Kenya: Lessons from a Flawed Election." *Journal of Democracy* 4 (1993). pp.85-99.

Appendix B: Ethnic Demographics in Kenya[1]

Ethnic Group	1948	1962	2010
Kikuyu	1,026,341 (19.5%)	1,642,065 (19.6%)	6.6 million (17.1%)
Luhya (Baluhya)	653,774 (12.4%)	1,086,409 (13.0%)	5.3 million (13.7%)
Kalenjin (Nandi & Kipsigis)	276,373 (5.3%)	511,856 (6.1%)	4.9 million (12.7%)
Luo	697,551 (13.3%)	1,148,335 (13.7%)	4 million (10.3%)
Kamba	611,722 (11.6%)	933,219 (11.1%)	3.9 million (10.1%)
Somali	NA	275,241 (3.3%)	2.4 million (6.2%)
Kisii	255,108 (4.8%)	538,343 (6.4%)	2.2 million (5.7%)
Total Population	*5,251,120*	*8,365,942*	*39 million*

[1] Data for 1948 and 1962 taken from Morgan, William T. W. 2000. "The Ethnic Geography of Kenya on the Eve of Independence: The 1962 Census," *Erdkunde* 54, 1: 76-87; Data for 2012 taken from Kenya National Bureau of Statistics

Appendix C: Pre-Electoral Violence Occurrences, 2007

Central	Kiambu
Central	Kirinyaga
Central	Nyandarua
Central	Nyeri
Coast	Kilifi
Coast	Mombasa
Coast	Taita-Taveta
Eastern	Embu
Eastern	Isiolo
Eastern	Kitui
Eastern	Machakos
Eastern	Meru
Nairobi	Nairobi
North Eastern	Wajir
Nyanza	Homa Bay
Nyanza	Kisii
Nyanza	Migori
Nyanza	Nyamira
Nyanza	Siaya
Rift Valley	Baringo
Rift Valley	Bomet
Rift Valley	Kericho
Rift Valley	Laikipia
Rift Valley	Marakwet
Rift Valley	Nakuru
Rift Valley	Nandi
Rift Valley	Uasin Gishu
Western	Bungoma
Western	Busia
Western	Kakamega
Western	Vihiga

Appendix D: Post-Election Violence Occurrences, 2007/2008

Coast	Kwale
Nyanza	Kisumu
Rift Valley	Narok
Rift Valley	Trans-Nzoia
Rift Valley	West Pokot
Central	Kiambu
Coast	Kilifi
Coast	Mombasa
Coast	Taita-Taveta
Nairobi	Nairobi
Nyanza	Homa Bay
Nyanza	Kisii
Nyanza	Migori
Nyanza	Nyamira
Rift Valley	Baringo
Rift Valley	Bomet
Rift Valley	Kericho
Rift Valley	Nakuru
Rift Valley	Nandi
Rift Valley	Uasin Gishu
Western	Bungoma
Western	Busia
Western	Kakamega
Western	Vihiga

Appendix E: Potential Factors Affecting Pre- and Post- Election Violence in Kenya, 2007-2008*

Factor	Pre-Election Violence	Post-Election Violence
Presidential Competitiveness (2007)	No	No
Parliamentary Competitiveness (2002)	Yes (More competitive, more violence but marginally so)	No
Parliamentary Competitiveness (2007)	No	No
Support for Odinga (2007)	No	Yes (More Likely)
Support for Kibaki (2007)	No	Yes (Less Likely)
District Level Poverty (2002)	No	No
History of Pre-Election Violence	NA	Yes (More Likely)

*Relationship examined through logistic regression analysis.

Appendix F: Acronyms

CG	Consultative Group
CORD	Coalition for Reforms and Democracy
CPPG	Central Province Parliamentary Group
DP	Democratic Party
ECK	Electoral Commission of Kenya
FORD	Forum for the Restoration of Democracy
FORD-Asili	Forum for the Restoration of Democracy-Asili, Kenneth Matiba faction
FORD-Kenya	Forum for the Restoration of Democracy-Kenya, Jaramogi Oginga Odinga faction
GSU	General Service Unit
ICC	International Criminal Court
KANU	Kenya African National Union
KADU	Kenya African Democratic Union
KPU	Kenyan Peoples Union
LDP	Liberal Democratic Party
NAK	National Alliance of Kenya
NARC	National Alliance Rainbow Coalition
NDP	National Development Party
NPK	National Party of Kenya
ODM	Orange Democratic Movement
PNU	Party of National Unity
SDP	Social Democratic Party
TNA	The National Alliance

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14. ABSTRACT
Electoral violence has occurred in every multiparty election in Kenya. We estimate that in the run up to the 2013 elections, pre-election violence has already occurred – meant to intimidate, disrupt, and displace – and will continue until the election in March. Tana River in Coast Province, Kisumu in Nyanza Province, and much of Rift Valley Province are especially susceptible to this violence. A combination of factors, including increased international attention, makes large-scale post-election violence unlikely, but, until Kenya's political institutions strengthen and mature, violence is always a possibility. Thus far, none of the suspected perpetrators of the 2007/8 electoral violence have been held to account by the Kenyan judiciary. International sanctions, however, in the form of International Criminal Court (ICC) indictments are pending. There are commonalities across Kenya's elections: namely, weak political parties and weak institutions. There are, however, major differences between 2007 and 2013 that should prevent a recurrence of large-scale post-election violence.

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