

**THE NEXUS BETWEEN ELECTORAL MANAGEMENT SYSTEM AND
POST-ELECTION VIOLENCE IN KENYA SINCE 1963**

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Assistance in Partial Fulfilment of the Requirements for the Conferment of the
Degree of Doctor of Philosophy in Peace and Conflict Studies of Masinde Muliro
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DECLARATION

This thesis is my original work, prepared with only the indicated sources and support, and has not been presented elsewhere for a degree or any other degree certification.

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CERTIFICATION

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DEDICATION

I dedicate this work to my children: Gloria Otieno, Addis Otieno and Clement Otieno.

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ABSTRACT

An electoral management system ensures that election results accurately represent the majority's will, provide legitimacy to elected officials, and minimise disputes regarding election outcomes. Despite multiple reforms and modifications to its electoral framework, Kenya has witnessed recurring post-election violence, suggesting inherent issues within its electoral management structure. This study examined the link between post-election violence in Kenya, dating back to 1963, and the country's electoral management system. The research focused on evaluating the core elements of Kenya's electoral management framework, identifying the drivers of electoral violence, and analysing the challenges and opportunities Kenya's electoral body, the Independent Electoral and Boundaries Commission (IEBC), in planning and administering elections. To explore the connection between Kenya's majoritarian electoral model and incidents of post-election violence, this study conducted a thematic review of existing literature aligned with the research objectives. The study employed Consociationalism theory, voting theory, and rational choice theory as its conceptual foundation. Utilising a historical research design that incorporated both qualitative and quantitative approaches, the researcher conducted the study from July to December 2022. The study targeted 260 eligible voters, 50 lawmakers, 40 IEBC members, 60 political analysts and journalists (from print and electronic media), ten representatives from humanitarian organisations, ten local and international observers, ten security personnel, and ten county administrative officials. A stratified random sampling technique determined a sample size of 450 respondents from a total target population of 641,396. Data collection employed primary and secondary sources, including questionnaires, interview guides, and secondary resources crafted in line with the research objectives and questions. Questionnaires were distributed to voters, while interviews gathered insights from political and electoral experts, IEBC officials, legislators, humanitarian representatives, security personnel, local and international observers, and county administrative staff. Quantitative data was processed and illustrated through charts and figures, while qualitative data was organised into themes and focal areas. The study's findings on the first objective indicated that Kenya's electoral management relies on a First Past the Post (FPTP) model, a plurality/majority system. Regarding the second objective, it was revealed that Kenya's "winner-takes-all" electoral framework, coupled with disputed election outcomes due to perceived electoral body bias and voter incitement by politicians, has been a primary contributor to post-election violence since 1963. This finding was statistically supported, with a significant correlation between the electoral management system and post-election violence ($\beta = .685$, $t = 16.225$, Sig. = .000). For the third objective, the study uncovered that the IEBC faces various operational legal, and administrative hurdles in conducting and supervising elections in Kenya. In conclusion, the study found that Kenya's electoral management system is fundamentally built on the FPTP model. Findings from the second objective emphasised that political incitement is a major factor fueling post-election violence in Kenya. Furthermore, a significant relationship was identified between the underlying causes and impacts of post-election violence ($\beta = .757$, $t = 19.088$, Sig. = .000). Concerning the third objective; the study concluded that the electoral body's ability to administer credible elections is obstructed by the self-interest and impunity of political leaders, as well as issues of ethnicity, mistrust, and fears of exclusion. Among the study's recommendations, it proposed exploring alternative electoral models, such as proportional representation or mixed-member systems, to address the divisive nature of the current FPTP framework. By establishing a connection between electoral management and post-election violence, an underexplored area in Kenyan and regional studies, this research contributes valuable insights to peace and conflict studies.

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LIST OF ABBREVIATIONS AND ACRONYMS

ACTED	Agency for Technical Cooperation and Development Kenya
AFSC	American Friends Service Committee
APC	All Progressives Congress
AU	Africa Union
AV	Alternative Vote
BC	Border Count
BUR	Biometric Voter Registration
CEC	Central Election Commission (Albania)
CENA	National Electoral Commission
CMVE	Centre for Monitoring Election Violence
COMESSA	Common Market for Eastern and Southern Africa
COSOME	The Coalition of Civil Society for Electoral Monitoring
CPA	Centre for Policy Alternatives
DCI	Directorate of Criminal Investigation
DRC	Democratic Republic of Congo
EAC	The East Africa Community
ECK	Electoral Commission of Kenya
ECN	Electoral Commission of Namibia
EMB	Electoral Management Body
EYC	Elimu Yetu Coalition
FF	Fiji First
FLP	Fiji Labour Party
FPTP	First past the Post
FUFP	Fiji United Freedom Party

ICC	International Criminal Court
IEBC	Independent Election and Boundaries Commission
IGAD	Inter-Governmental Authority on Development
INEC	Independent National Elections Commission
IPi	International Peace Institute
IPOA,	The Independent Policing and Oversight Authority
IREC	Independent Review Commission
IRV	Instant Run-Off
KADU	Kenya African Democratic Union
KANU	Kenyan African National Union
KHRC	Kenya Human Rights Commission
KIEMS	Kenya Integrated Election Management System
KPU	Kenya's People's Union
KRCS	The Kenya Red Cross Society
LDP	Liberal Democratic Party
LRA	Lord's Resistance Army
LV	Limited Vote
MEC	Malawi Electoral Commission
MMP	Movement for Multi-Party Democracy
MPLC	Multi-Party Liaison Committee
NARC	National Rainbow Coalition
NASA	National Super Alliance
NCAJ	National Council for the Administration of Justice
NCIC	National Cohesion and Integration Commission
NCRC	National Crime Research Centre

NEWS	National Early Warning System
NFP	National Federation Party
NFP	National Federation Party
NGO	Non-Governmental Organization
NRC	The Norwegian Refugee Council
ODM	Orange Democratic Movement
OFP	One Fiji Party
PAC	Public Affairs Committee
PDP	People’s Democratic Party
PEV	Post-Election Violence
PNG	Papua New Guinea
PNU	Party of National Unity
PR	Proportional Representation
SCOK	Supreme Court of Kenya
SNTV	Single Non-Transferable Vote
SODELPA	Social Democratic Liberal Party
STV	Single Transferable Vote
SWAPO	South West Africa People’s Organization
TRS	Two-Round System
UDA	United Democratic Alliance
UK	United Kingdom
UN	United Nations
UNDP	United Nations Development Programme
UNIP	United National Independence Party
USA	United States of America

WANEP West Africa Network for Peace Building

WASH Water, Sanitation and Hygiene

OPERATIONALISATION OF KEY CONCEPTS AND VARIABLES

Conflict

In this study, conflict is a severe disagreement that usually results in physical violence between two communities or groups. Conflict is a struggle or contest between people with opposing needs, ideas, beliefs, values, or goals (Dina & Suhendi, 2020).

Data

Data is a quantified and qualified symbol set used in the study to collect observations made by the researcher.

Election process

The election process is defined as choosing a person or individuals by voting from among candidates for a position, particularly a political post. It is the vehicle through which political power is acquired, maintained, or trailed. A legal code governs candidates' and political parties' campaigns to win support, which will catapult them to power.

Electoral System

This study uses the term "electoral system" to refer to the set of regulations that govern the conduct of presidential, senatorial, gubernatorial, Member of Parliament, women representative, and member of county assembly elections in Kenya, as well as referendums. Governments conduct political electoral systems, but non-political elections can happen in corporations, nonprofit organisations, and unofficial groups.

All aspects of the political process are governed by these laws, including when elections take place, who is eligible to vote, who is eligible to run for office, how votes are counted (election technique), how much money can be spent on campaigns, and other factors that could affect the outcome. The founding constitution of Kenya and electoral regulations, typically supervised by the Commission of Kenya (IEBC), set forth the country's political democratic system, which uses a range of election procedures to elect candidates to

various seats. It is the process by which the votes cast by the public convert into legislative seats and elected officials.

Electoral Management System

An electoral management system is a set of procedures for gathering, tallying, averaging, and then collectively interpreting voter preferences to determine the outcome of an election. This process determines how many elected positions in the government are given to candidates and parties following an election.

Electoral Violence

"Electoral violence" refers to any coercion, intimidation, or bodily harm used in an election or expressed as threats or acts during an election campaign. Suppose it is used to influence a democratic system. In that case, violence may impede, interrupt, or hijack an election and impact the direction, either by deciding victors in tight campaigns for political office or by securing acceptance or rejection of plebiscite proposals. It is a range of activities aimed at subverting the will of ordinary citizens to exercise their choice freely during general elections.

Legitimacy

Legitimacy will be used in the study to mean the widespread acceptance of a government, political regime, or system of governance arising from General elections periodically held in Kenya every five years.

Liberal Democracy

According to the study, liberal democracy is a form of government where representative democracy operates according to libertarian ideals. The separation of powers between the executive, judicial, and legislative branches of government, the application of due process in all spheres of life as a component of an open society, and the equal protection of everyone's civil liberties, political freedoms, and human rights are its defining

characteristics. It is a method that permits citizens of a country to cast secret ballots in regularly scheduled elections for the government while selecting from various political parties. (Transparency International, n.d.).

Post-Election Violence

Post-election violence will be defined as violence that occurs after the election. The standard trigger events are malpractices in registering voters' lists, unfair establishment of the electoral administration, stolen elections, and manipulation of electoral results. In Kenya, it entails all the violent activities that have taken place before, during, and after the 1963, 1966 (little elections), 1969, 1974, 1979, 1983, 1988, 1992, 1997, 2007, 2013, and 2017 elections and directly or indirectly influenced election outcomes in Kenya.

Representative Democracy

Representative democracy is used in this study as a political system in which citizens participate in selecting individuals to represent their interests and make decisions on their behalf within a structured legislative framework denoted in Kenya by periodic elections held every five years since 1963.

CHAPTER ONE

INTRODUCTION

This chapter provides an overview of the study's setting, issue statement, study objectives, research questions, justification for the investigation, and scope (careerZone24, 2024).

1.1 Background to Study

Kenya gained independence in 1963 and has operated as a representative democracy ever since (Refer to Appendix II). A representative democracy allows citizens to participate in choosing individuals who advocate for their interests and make decisions on their behalf within an organised legislative framework. In this system, representatives are elected by eligible voters through regular elections (Career Zone 24,2024, January). Elections provide a formal mechanism through which citizens of a democratic nation select leaders to guide their country (Brown,2009; Dahl,1989). Ideally, democratic elections foster peace, drive sustainable development, and establish a legitimate government that, through transparent and fair processes, formulates and implements policies benefiting all citizens. The effectiveness of an electoral system largely determines whether these elections yield widely accepted outcomes (Bogaards, 2014; Bratton, Van de Walle, and Nicholas, 1997). Elections in Kenya have consistently operated under a majoritarian system since the nation gained independence in 1963. However, the democratic electoral framework that has been established has not fulfilled the aspirations for genuine democratic processes and favourable outcomes. The electoral management system was inherited from Britain, the colonial power, with minimal input or adaptation to local needs (Chege, 2008). Each election cycle has been marred by discontent and unrest, particularly during pivotal years such as 1992, 1997, and 2007, when violence erupted following the announcement of presidential election results. The public's perception was that these outcomes had been

manipulated and did not reflect the valid will of the people, leading to widespread criticism and outrage. This violence highlighted the troubling relationship between the electoral administration system in Kenya and the occurrence of electoral violence, revealing systemic and structural flaws (Chege, 2008). The management of elections can lead to two contrasting outcomes: fostering peace or inciting conflict and division within the country (Gallagher & Mitchell, 2018).

Upon gaining independence in 1963, Kenya adopted a majoritarian electoral management system, often called "winner takes all." Under this framework, the candidate who secures the majority of votes is awarded the seat in elections held simultaneously across various locations. This electoral management approach, inherited from British colonial rule, reflects the unique political conditions that influenced its establishment (Lindberg, 2006). The electoral management system encompasses the protocols through which voter preferences are collected, aggregated, and interpreted to yield electoral results (Herron, Pekkanen & Shugart, 2018). Each government selects a distinct electoral management system for many complex reasons shaped by its historical context and ideological beliefs (Mozaffar et al., 2003). The three predominant electoral systems globally are plurality, majority, and proportional representation (Caraman, 2017). These systems are crucial in determining leadership and guiding future policy directions (Shugart, Taagepera, Herron, & Pekkanen, 2018).

In the broader global context, most Western European nations utilise proportional representation laws to elect their parliaments. Notably, Britain and France stand out as exceptions, with Britain employing a plurality system and France favouring majority rules. Despite this, both countries also implement proportional representation systems for

electing members to the European Parliament and in other secondary elections (Sinnott & Farrell, 2017). In the United States, the plurality electoral system governs all federal, state, and local elections, determining the selection of members of the House of Representatives and local legislative bodies (Duncan, 2017). According to Shugart, Taagepera, Herron, and Pekkanen (2018), voters cast a single ballot for their district's representative, leading to victory for the candidate with the highest total of votes, even if that total is less than a majority of 50%.

In the African context, South Africa's electoral system is recognized for combining parliamentary principles with an advanced form of proportional representation, marking it as one of the most progressive in the world (Lockwood & Kroenke, 2018). Despite the dominance of the African National Congress and the limited success of other political parties at the national level, South Africa's political dynamics often defy expectations (Mancebo, 2019; Gallagher & Mitchell, 2018). While the country employs a highly proportional electoral system, it frequently witnesses majoritarian outcomes. On the other hand, Nigeria operates under a first-past-the-post electoral system that is also majoritarian. The Independent National Electoral Commission (INEC) is responsible for organizing, administering, and overseeing elections; however, the electoral process is often plagued by violence, manipulation, and other irregularities, reflecting challenges faced by many young democracies in Africa (Ashindorbe, 2018).

In Kenya, the electoral framework follows the "First Past the Post" methodology, wherein voters choose a single candidate from among the nominees, and the candidate who receives the most votes is declared the winner, regardless of whether they achieve an absolute majority. This system is applied to various positions, including the presidency, the senate, governorships, women's representatives, and Members of Parliament (Government of

Kenya, n.d. and lawmark partners LLP, n.d). As stipulated in the current constitution enacted in 2010, the presidential election employs a modified two-round voting process. To avoid a runoff election, a presidential candidate must secure over 50% of the total votes cast and achieve at least 25% in at least 24 out of the 47 counties (Gutierrez Romero, 2013; KHRC, 2011). The electoral landscape in Kenya is often marred by violence, loss of life, destruction, and displacement, particularly in counties such as Nairobi, Kisumu, Homa Bay, and Siaya (USAID, 2010; KHRC, 2011; Mutugi, 2016).

Hoglund and Jarstad (2010) emphasize that the processes of elections and the establishment of democratic institutions are vital in promoting peace and ensuring stability within a nation. The relationship between accessible, fair, and transparent elections and peace is significant, as such polls encourage inclusion and active participation from voters in selecting their leaders while fostering a dependable environment for conflict resolution in societies recovering from turmoil (Birch & Muchlinski, 2017). Nevertheless, the competitive nature of elections often breeds rivalry and mobilization, which can spark disputes regarding the authority of electoral bodies, the integrity of the election processes, and the legitimacy of the outcomes (Bardall, 2013). Any compromise in the fairness and transparency of elections can adversely impact the peace and democratic progress of a nation, potentially inciting electoral violence (Collier, Gutierrez Romero & Kimenyi, 2010).

Electoral violence is defined as the use of physical force and coercive intimidation directly linked to an impending election or announced results, according to Taylor and Straus (2012). Hoglund (2009) identifies election-related violence as a tool to manipulate democratic processes or results. Such violence can manifest in numerous forms, including threats and intimidation directed at voters, outright physical attacks, targeted killings,

coercive tactics (such as posters warning specific communities against voting for particular candidates), illegal detentions of opposition figures, forced displacement of voters, suppression of information, and the destruction of campaign materials, alongside clashes between political rivals and security forces (Bekoe, 2012).

The repercussions of electoral violence are profoundly detrimental to the democratic process, as it not only undermines the principles of free and fair elections but also inflicts direct physical and psychological harm (Gutierrez Romero & Le Bas, 2016). More critically, instances of violent intimidation, such as the distribution of posters threatening specific communities against voting for perceived candidates, have led to the unlawful arrest of opposition candidates, arbitrary detentions, torture, forced voter displacement, and the obliteration of campaign materials. Additionally, attacks on polling stations and confrontations between rival political factions and security forces have been reported (Bekoe, 2012).

The presence of electoral violence not only promotes authoritarian governance and non-democratic practices but also diminishes citizens' trust in the electoral process (Soderstrom, 2019). According to the International Peace Institute (IPI, 2012), the origins of such violence are often tied to political, economic, and social grievances or the insatiable political ambitions of leaders who strive to retain power even after losing elections. These grievances, combined with high youth unemployment, foster a climate of competition and hostility within a country, significantly increasing the likelihood of political violence (Boone et al., 2010; Alston, 2009). Laakso (2007) highlights that during the elections of 1992 and 1997 in Kenya, it was primarily the unemployed youth who contributed to the violent outcomes. Hafner-Burton et al. (2014), in their analysis of

elections conducted between 1982 and 2004, identified that the highest rates of electoral violence are frequently state-sponsored.

The shortcomings of the electoral management system have led to unrest following elections, underscoring the essential role elections play in enabling citizens to select their preferred leaders within a democratic framework (Dercon & Gutierrez-Romero, 2012). Elections represent critical junctures where nations can either enhance their democratic credentials or risk devolving into failed states if adequate measures are not implemented (Drummond, 2015). Emerging democracies, particularly on the African continent, have long struggled to exercise their democratic rights, often due to perceived or overt electoral malpractices that lead to injustices and exacerbate conditions that give rise to post-election violence. This study explores the relationship between Kenya's majoritarian electoral management systems and the patterns of electoral violence that have persisted since 1963.

The majoritarian election system in Kenya has the potential to either intensify or defuse tensions, violence, and conflict. There is a clash between candidates who feel sorry for the incumbent and opponents who emphasize minority representation and those who support one-party rule at one point. On the other hand, Losers may resort to intimidation and illegal tactics, including violence, if they perceive the electoral system as unfair and lack confidence in the opposition's chances of winning the next election (Barkan, 2008). The disputed elections in 1992, 1997, 2007, 2013, 2017 and 2022 have led to ethnic post-election violence (Bratton & Kimenyi, 2008). However, the post-election violence in Kenya in 2007 was the epitome of ethnic strife, and it was extensively covered by both the local and international media (Aljazeera, 2017, October 18).

Although this type of violence does not transition to a civil war, it can lead to the loss of many lives, damage of property, internal displacement of people, undermine the legitimacy

of the electoral process and the governments that are formed during that period as has been the case in Kenya, especially after the 2007 general elections (Brown, & Raddatz, 2014). It is noted that while there are excellent studies that have provided insight into electoral violence (Wilkinson, 2004; Klopp, Elke, 2007; Mueller, 2011), multiparty elections in Kenya, generally and specifically, the correlation between the electoral management system and post-election violence in Kenya is still an understudied topic in comparison to significant works of literature of democratization in Kenya.

Since gaining independence in 1963, Kenya has navigated a lengthy and intricate history of electoral processes and post-election events. The country's electoral management system has been a subject of significant scrutiny and academic debate, with particular attention given to concerns regarding voter registration, ballot counting, and the overall integrity of the electoral process (Mukanda. S.W. Okoth, P. G. & Lusambili, K. M 2024). These concerns have frequently been associated with post-election violence, which, unfortunately, has characterised the country's several elections cycles.

1.2 Statement of the Problem

Kenya's electoral history is marked by recurring episodes of post-election violence, highlighting systematic challenges within its electoral management systems. Despite efforts to reform electoral processes, including establishing independent electoral institutions and enacting electoral laws, the country continues to grapple with electoral disputes and violence following contested elections. This raises critical questions about the efficacy of existing electoral management systems in preventing and mitigating post-election violence and the underlying factors contributing to these recurrent crises.

The significant issues to be explored encompass the following areas: In terms of Electoral Integrity, it is crucial to examine the degree to which electoral management systems in Kenya adhere to the principles of fairness, transparency, and accountability and how these factors influence the potential for post-election violence. Regarding Institutional Capacity, it is essential to assess the strengths and weaknesses of electoral bodies such as the Independent Electoral and Boundaries Commission (IEBC) and how these aspects impact the credibility and legitimacy of electoral outcomes. About Legal Frameworks, the effectiveness of current electoral laws and regulations in handling electoral disputes and grievances is a crucial area of concern. Identifying necessary reforms to enhance their capacity to prevent and resolve post-election violence is imperative. Considering the Socio-Economic Dynamics, it is essential to analyse the role played by socio-economic factors such as poverty, inequality, and ethnic tensions in exacerbating electoral violence. Exploring how these underlying drivers can be addressed through electoral reforms and broader development strategies is crucial. International interventions are essential to promoting peaceful elections and resolving post-election crises in Kenya. Understanding the significance of international actors and diplomatic efforts in complementing domestic initiatives is critical. By optimising international support, the country can effectively navigate electoral challenges and foster peaceful transitions of power.

The problem for the study was that post-election violence across the globe, especially in developing countries like Kenya, could be linked to the adopted electoral management systems. Kenya has experienced multiple instances of post-election violence since gaining independence, including the most notorious events in 2007-2008 and subsequent elections (Bratton & Kimenyi, 2008). The majoritarian electoral management system used in Kenya is susceptible to manipulation by majority and incumbency, and this is the cause of political tensions during elections, culminating in electoral violence (Lindberg, 2006).

Another consequence of the majoritarian electoral management system is the effect on political parties. According to Reynolds (1999), a majoritarian electoral management system tends to create and develop parties where patronage and patron-client relationships thrive while encouraging personality cults in these parties' formation, organization, and management.

The majoritarian electoral management system affects how party leaders and elites behave, influencing the party's policies and programs. In order to win, the majoritarian electoral management system may favour and appeal to a coalition of dominant ethnic groups. However, this increased ethnicity, geographical affiliations, and historical circumstances could be linked to tensions after elections (Brown, 2009). Majoritarian voting systems in Kenya have been linked to political tensions and conflict. This was clear during the 1992, 1997, 2007, 2013, 2017, and 2022 presidential elections. Since 1963, Kenya has held regular elections, but everyone has been tainted by post-election violence (International Peace Institute, 2012).

Since the return of the multiparty system in late 1991, there have been disputed presidential elections in six of the seven elections, which have led to violence. As an illustration, in the elections of 1992, 1997, 2007, 2013, 2017, and 2022 (Birch & Muchlinski, 2017). The worst was between December 2007 and February 2008, when more than 300,000 people were displaced following the publication of the results of the presidential election, and around 1,300 people died as a result of post-election violence (KNHR, 2018). The worst occurrence involved 200 internally displaced people who sought safety in a church, but the church was destroyed by fire, resulting in 35 fatalities. According to a regular pattern (Adhiambo, 2017), many people suffer injuries and are forced to flee their homes.

The rationale for this research is based on the fundamental importance of comprehending the connection between the electoral management system and post-election violence (Otieno, C. Ochieng, P., Matanga, F.K & Iteyo 2023). Addressing the root causes of this enduring challenge requires a thorough understanding of this relationship. By analysing the development of Kenya's electoral management system and its influence on its political environment, this study aims to offer insights that can guide policy decisions and contribute to advancing more resilient and inclusive democratic processes in Kenya. The outcomes of this research could hold broader significance for other nations grappling with similar difficulties in conducting elections and reducing the risks of post-election violence (Otieno, Ochieng, P. Matanga.F. K & Iteyo 2024). The findings of this study could have broader implications for other countries facing similar challenges in managing elections and mitigating the risks of post-election violence.

The study examined Kenya's electoral management system after independence, concentrating on the relationship between it and electoral violence in Kenya since 1963. Because of its majoritarian winner-take-all procedure, elections in Kenya are a high-stakes process. No side wants to lose the elections because the stakes are so high; therefore, each side uses violence as a tactical strategy to guarantee they are not entirely outmatched. Due to this, post-election violence in Kenya has increased dramatically since 1963 (Mozaffar, Scarriet & Galaich, 2003). Additionally, post-election violence has persisted despite numerous reforms and modifications to Kenya's electoral processes, which was why this research was done (Spade,2013).

1.3 Objectives of the Study

The study investigated the relationship between Kenya's post-election violence since 1963 and the country's electoral management system.

The specific objectives were to:

- i. Establish the essence of Kenya's electoral management system and its influence on post-election violence since 1963.
- ii. Examine the causes and consequences of post-election violence in Kenya 1963
- iii. Evaluate the opportunities and problems the Kenyan electoral management system faces in planning, conducting, and managing elections to achieve electoral peace in Kenya.

1.4 Research Questions

The research was motivated and focused on answering the following questions;

- i. What is the essence of Kenya's electoral management system and its influence on post-election violence?
- ii. What are the causes and consequences of Kenya's post-election violence since 1963?
- iii. What challenges and opportunities does Kenya's electoral management system face when organizing, conducting and managing elections to achieve electoral peace in Kenya?

1.5 Justification of the Study

The study's rationale: The investigation into the link between the electoral management system and post-election violence is particularly significant for several reasons.

Addressing Electoral Violence: The threat posed by electoral violence to democracy, stability, and human rights in numerous countries makes it crucial to comprehend the factors contributing to post-election violence, including the role played by the electoral management system. This understanding is essential for devising effective strategies to

prevent and mitigate such violence. Promoting Good Governance: (Ochieng, Matanga , & Iteyo, C.2023). The study's exploration of the relationship between the electoral management system and post-election violence can illuminate governance challenges and the potential for reform (Opondo, 2022). Enhancing the integrity and effectiveness of electoral processes is foundational to promoting good governance and democratic principles. Enhancing Electoral Systems: Insights from the study can be instrumental in informing reforms and improvements in electoral systems to improve transparency, accountability, and fairness. Strengthening the electoral management system can build trust in institutions, reduce tensions, and prevent violence following elections. Supporting Conflict Prevention: Identifying the connection between the electoral management system and post-election violence can contribute to conflict prevention efforts. Addressing the root causes of electoral violence and implementing preventive measures can reduce the risk of conflicts arising from disputed elections. Informing Policy and Practice: Research findings from the study can yield evidence-based recommendations for policymakers, electoral authorities, civil society organisations, and international partners. These recommendations can guide policy decisions, institutional reforms, and capacity-building initiatives to enhance electoral processes and prevent violence. Advancing Academic Knowledge: The study has the potential to enrich academic literature on electoral violence, conflict resolution, and governance by generating new insights and empirical evidence. This research can contribute to scholarly debates and deepen our understanding of the complex relationship between electoral management and post-election violence. It will enrich the academic discourse on electoral violence, democratisation, and conflict resolution, enhancing our understanding of the complex interplay between institutional dynamics, socio-economic factors, and political violence in transition democracies.

Overall, the study on the correlation between the electoral management system and post-election violence is timely and essential in the current global context, where electoral integrity, democratic norms, and peacebuilding efforts are paramount for sustainable development and stability.

The study examining the link between the electoral management system and post-election violence holds great significance in today's global context, where ensuring electoral integrity, upholding democratic norms, and promoting peacebuilding efforts are crucial for sustainable development and stability. This research is particularly critical for several reasons: 1. Practical Importance: The study's findings can guide evidence-based interventions and institutional reforms to improve electoral integrity, promote inclusive political participation, and address the underlying causes of electoral violence in Kenya and other similar contexts. 2. Ethical Obligation: Considering the human toll of electoral violence in terms of loss of life, displacement, and socioeconomic upheaval, there exists a moral imperative to identify strategies for preventing and mitigating electoral violence while safeguarding the democratic rights and security of all citizens. In light of these considerations, this study aims to make a meaningful contribution to establishing resilient and inclusive electoral systems that uphold democratic values and facilitate peaceful political transitions in Kenya and beyond.

The study presents a significant contribution in several aspects. Comprehensive Perspective: The research adds value by adopting a holistic approach to the electoral process, considering the technical aspects and cultural and historical factors. Context-Specific Insights: Through an analysis of the post-independence elections in Kenya, the study offers insights specific to the context. It acknowledges Kenya's unique political landscape, ethnic diversity, and historical challenges. Interdisciplinary Approach: The

research integrates disciplines such as democracy, conflict studies, and governance, providing a nuanced understanding of the relationship between elections and violence. Relevance to Policy: The findings directly influence policy recommendations, focusing on practical solutions for preventing election-related violence.

The research study significantly contributes to advancing knowledge in democracy and elections. It deepens our comprehension of the impact of electoral processes on democratic stability, emphasising the crucial role of electoral management systems in shaping citizens' trust and participation. Additionally, it enhances our knowledge by pinpointing specific mechanisms, such as dispute resolution and transparency, that influence electoral outcomes and subsequent violence. Regarding conflict studies, the study illuminates the intricate relationship between electoral processes and conflicts, moving beyond mere correlation to explore causality. These findings can serve as a basis for researchers to develop conflict prevention strategies tailored to electoral contexts. Regarding governance, the research underscores the significance of effective electoral institutions, emphasising the utmost need for impartiality, transparency, and inclusivity. Furthermore, it contributes to governance literature by highlighting the impact of electoral management on overall stability. Within peace studies, the study's correlation of electoral management with post-election violence informs peacebuilding efforts, promoting dialogue on electoral reforms, civic education, and long-term peace strategies.

This research enriches our understanding of the intricate connections between electoral systems, conflict dynamics, and peacebuilding. Its practical implications can guide policymakers, practitioners, and scholars toward more resilient and peaceful societies.

Let's examine the importance and relevance of each research question in the context of the study objectives and their alignment with the specified theories.

In analysing the study's objectives, it is crucial to emphasise the significance and applicability of each research question (Electoral Maturity Models, n.d). For instance, the first research question focuses on understanding Kenya's Electoral Management System, which is pivotal in shaping the electoral process. This encompasses various elements such as voter registration, ballot design, polling station management, and result tabulation. Moreover, this research question directly corresponds to the study's first objective. By scrutinising the system's structure, legal framework, and operational procedures, valuable insights are gained regarding the organisation and execution of elections. Furthermore, when aligning with relevant theories, several noteworthy connections emerge. First, the reconciliation theory underscores the importance of consensus and cooperation, which can be applied to the electoral context. Understanding the electoral system promotes collaboration among stakeholders and helps reduce potential conflicts. Additionally, the Voting Theory highlights how the essence of the electoral system influences voting behaviour. Different systems impact how voters cast their ballots. Lastly, the Rational Choice Theory emphasises how voters consider the electoral system when making choices, leading to strategic voting or support for specific candidates. Examining the causes and consequences of post-election violence is essential due to its disruptive impact on social harmony, democracy, and citizens' well-being. Identifying these causes is crucial for preventing the recurrence of such violence. This question aligns with the second objective and is relevant for analysing historical incidents and patterns to understand triggers such as disputed results, ethnic tensions, and political polarisation.

From a theoretical perspective, several theories are applicable: - The Conciliationism Theory emphasises understanding violence's impact on social cohesion and trust, highlighting the relevance of resolving disagreements constructively. - Voting theory indicates that violence often erupts due to contested outcomes, and the choice of electoral

system can influence the likelihood of disputes and violence. - Rational Choice Theory suggests that actors weigh costs and benefits, with violence possibly being a strategic choice for certain groups seeking power or expressing grievances. In exploring Electoral Management, it is crucial to identify challenges and opportunities. This enables targeted reforms to address existing issues while also paving the way for the adoption of better practices. Embracing the significance of this inquiry aligns directly with the third objective, focusing on enhancing the effectiveness and efficiency of the electoral system. From a theoretical perspective: - The Conciliationism Theory emphasises that addressing challenges fosters cooperation and consensus-building, while opportunities lie in enhancing dispute resolution mechanisms. - In Voting Theory, opportunities include adopting improved voting methods (e.g., Condorcet) that minimise spoilers and encourage honest voting. - Rational Choice Theory suggests that rational actors seek optimal outcomes. Opportunities in this context involve streamlining processes and minimising costs.

1.5.1 Policy Justification

This study is essential as it will help to create policy measures and standards that can be used by future election bodies to ensure elections in Kenya are free, fair, transparent and credible and have greater Integrity (Scrggins, 2012). This implies that the selection of the election management body in Kenya will have to be re-evaluated. Furthermore, the study acknowledges that electoral management systems differ from one country to another. In this case, the researcher compared the Kenyan electoral management system with other countries to develop practical recommendations that can provide solutions to the Kenyan problem of post-election violence precipitated by an ineffective electoral management system, which makes poll outcomes unacceptable to the participants and avoids future

conflicts before, during and after democratic elections as we have witnessed in a larger scale in Kenya.

From a policy perspective, it is demonstrated that there is a need to implement effective electoral management reforms (Elklit & Reynolds, 2002). The country's norm has been that new challenges are identified after every election, an inquiry process is formed, and solutions are formulated. However, some solutions were not conducted as recommended during the implementation process, leading to future election problems, such as using the election digital kits. In addition, it has been determined that politicians, especially from the incumbent government, find loopholes in the election laws that they use to their advantage.

1.5.2. Academic Justification

The correlation between the electoral management system and post-election violence in Kenya since 1963 forms a significant area of study in Kenyan politics and governance. Understanding this relationship is crucial for policymakers, electoral authorities, and researchers to develop strategies to prevent or mitigate such violence. Focusing on the period since 1963 can contribute to filling a gap in existing literature, explicitly examining the long-term impact of electoral management systems on post-election violence in Kenya over several decades. The study can be grounded in relevant theoretical frameworks from political science, conflict studies, or international relations to provide a solid academic foundation for the research, including theories on democratisation, conflict resolution, or institutional design. To ensure the validity and reliability of the findings, the study should employ robust research methods, such as quantitative analysis of electoral data, qualitative interviews with key stakeholders, or comparative case studies. The research findings can

have practical implications for electoral reform and conflict prevention efforts in Kenya and other countries facing similar challenges.

Ultimately, the study should aim to contribute new insights and knowledge to the academic field, advancing our understanding of the complex relationship between electoral processes and political violence in the Kenyan context (Scruggins, 2012). By addressing these academic justifications, the proposed study can make a valuable contribution to the existing literature and have important implications for both academia and policy-making in Kenya and beyond. From an academic perspective, this study provides new information about post-election violence in Kenya. It shows that the country's political structure has been based on ethnicity since independence, contributing to ethnic divisions. Previous studies, such as Chege (2018; Drummond, 2015; Elischer, 2008), focused on ethnicity, the voting process, rigging, and divisions as the root of electoral violence, while the current study expounds more on the electoral management system.

Besides, previous studies (Hansen, 2009; Bratton & Kimenyi, 2008; Barkan, 2008 & Dercon *et al.*, 2012) have conducted studies on post-election violence in Kenya, mainly focusing on the 2007- 2008 post-election violence. They have attributed the cause of this chaos to ethnic division and rivalry. This study demonstrates that a weak majoritarian electoral management system such as the one that exists in Kenya, a country with diverse communities, hurts the democratic nature of the country.

In addition, it shows that the existing electoral management systems were designed to favour the incumbent governments and ensure that they maintained power even when it seemed imminent that they would lose. It also demonstrated that even in countries with ethnic divisions, if they have an effective electoral management body that ensures and

guarantees free, transparent, and fair elections, there is less likelihood of post-election violence (Anderson, 2012).

1.5.3. Philosophical Justification

This study was first grounded in the philosophical works of John Stuart Mill (1806-1873), particularly on representative democracy and plural voting systems. According to Mill, there are two ways that democracy is most adapted to advance the common good in the appropriate situations. First, universal suffrage and political engagement best guarantee that political decision-makers will adequately understand the interests of the governed. Second, according to Mill, democracy is the best type of government due to the positive benefits that political engagement has on citizens' moral development.

Secondly, the study is anchored on Karl Marx's (1818 – 1883) philosophy, who believed that the state was a tool of the state and the powerful in society or the ruling class to maintain their stranglehold on the poor, less privileged and the working class in the society.

He saw the electoral management system as one of the ways and means the ruling class used to legitimize their rule and maintain their control over the political system. In his view, elections were not a true expression of democracy because they were dominated by the wealthy and powerful in society and the state. Karl Max John Stuart Mill's understanding of human physiology aids in our comprehension of how conflict develops in societies like Kenya. As supported by research findings, we learn from them that despite class stratification in society, the political elite shouldn't take advantage of the situation to further their goals. To achieve their goals, Kenyans must comprehend the reasons behind the post-election violence and develop answers without turning against one another.

Understanding how post-election violence inside the boundaries of the political order will affect events in the social order, and vice versa, is also helpful.

Based on Mill's, Karl Marx's and John Locke's philosophical grounding, this study built on the existing body of knowledge regarding variations of electoral management systems and how they influence representative democratic elections, peace and stability in ethnically diverse societies like Kenya. For instance, the study looks at the strengths and weaknesses of the current majoritarian electoral management system compared to proportional representation systems and other mixed variations to determine the ideal electoral system for the Kenyan case. From the past literature analysis, it has been established that a majoritarian system led to instability and marginalization of smaller ethnic groups. In this case, previous studies have indicated that variations of proportional representation systems will be more effective in attaining sustainable peace and nurturing democracy in ethnically diverse societies like Kenya, which corroborates the findings of this research study.

Locke's (1997) political philosophy emphasizes the consent of the governed and the importance of representative government. Locke argued that political authority is derived from the consent of the people. In a representative system, the people choose the government to act on their behalf and protect their rights. Therefore, ensuring that the electoral management system accurately represents the people's will and guarantees fair and transparent elections is crucial. Studying the relationship between the electoral management system and post-election violence is essential to assess whether the system effectively represents the interests and choices of the citizens. Locke would argue that if the electoral management system fails to accurately reflect the people's will, it undermines the government's legitimacy and can lead to political unrest and violence. It starts with the

premise that men have different wants, goals, and values and, as such, live in a world of scarcity and must choose between alternative courses of action that lead towards the most preferred goal (Heath, 1976; Carling, 1992, Coleman, 1973, Ritzer, 1992); it then proceeds to assume that men have different wants, goals, and values and as such live in a world of scarcity. According to the rational choice theory, highly valued prizes will be depreciated if the actor believes they will be hard to obtain. In contrast, lesser-valued rewards will be enhanced if the actor thinks they would be feasible.

In his book "The Social Contract," Jean-Jacques Rousseau (1964) emphasised the significance of a righteous and equitable social contract between the people and the government.

According to Rousseau, a legitimate government must be based on the people's general will. This means that the electoral management system should accurately represent the collective desires and interests of the citizens. When the electoral system fails to do so, it undermines the legitimacy of the government. It can lead to post-election violence as people feel their voices are not being heard and their rights are being disregarded.

In his influential essay "On Liberty," John Stuart Mill (1998) argues for protecting individual freedoms and the importance of open and robust public discourse. Mill believes a well-functioning electoral management system should encourage free and open debates, allowing citizens to express their diverse opinions and preferences. When the system restricts freedom of expression or suppresses dissenting voices, it can create tensions and frustrations, potentially leading to violent outbursts following elections.

John Dewey (2023), a pragmatist philosopher, highlights the significance of active citizen participation in a democratic society. For Dewey, democracy is not just about voting but a

continuous process of engaging in public life and decision-making. A flawed electoral management system that hinders meaningful citizen participation can lead to feelings of alienation and disempowerment. Consequently, disenfranchised citizens may resort to violence to express their discontent and reclaim agency in the political process.

In his seminal work "A Theory of Justice," John Rawls (1972) proposes the idea of a just society based on the principles of fairness and equality (African American Empowerment, n.d.). Rawls argues that institutions, including electoral management systems, should be designed to benefit the least advantaged members of society. In the context of Kenya, where historical disparities and inequalities persist, a fair electoral management system should address these issues to prevent the potential eruption of post-election violence rooted in social and economic grievances.

1.6. Scope of the Study

The research spans Kenya's history from its birth to independence. It examines the country's electoral management structure and how it has inspired and influenced post-election violence since 1963. The objective scope focused on the country's electoral management system, procedures, and practices, as well as how they have led to post-election abuse and how it has affected and contributed to post-colonial Kenya's post-election brutality and turbulence. On the methodological scope, the study adopted a historical research design. The information was gathered from voters in various parts of the country, IEBC officials, politicians from the government and opposition sides, security and county administrators, humanitarian agency officials, election observers and political experts concerning these issues. The researcher's geographic study area included the counties of Nairobi, Kisumu, Eldoret, Nakuru, and Mombasa. These counties were chosen because, following each election, there were pockets and hotspots of violence throughout

these counties, which had devastating effects (Kakuba, 2016). The research was done from June 2022 to December 2022).

1.7 Chapter Summary

The chapter has covered the development of the study in great detail. The study's discourse, premise, justification, problem description, aims of research questions, and chapter summary were developed as crucial instruments. The literature on the subject of the study is reviewed in detail in the next chapter.

CHAPTER TWO

LITERATURE REVIEW

2.1 Introduction

This chapter delves into the literature derived from pertinent sources and relevant studies. It begins with examining the conceptual literature highlighting the relationship between the electoral management system and instances of post-election violence in Kenya, tracing back to 1963. The literature review is systematically organized by themes, progressing from broad concepts to more specific aspects aligned with the distinct objectives of this study. These objectives encompass a definition of the fundamental components of Kenya's electoral management system, an exploration of the underlying causes and consequences of post-election violence in the country since 1963, and an identification of the various opportunities and challenges faced by the Kenyan electoral management body as it seeks to organize, conduct, and manage elections effectively, ultimately aiming for electoral peace in Kenya.

The chapter also articulates the theoretical framework and its application in the analysis presented. The theoretical literature review is categorized according to the research objectives and segmented into sub-themes. These sub-themes include an exploration of the historical context of elections and the electoral management system in Kenya, an investigation of the causes and repercussions of electoral violence, and an assessment of the challenges and opportunities that the Independent Electoral and Boundaries Commission (IEBC) encounters in the organization, conduct, and management of elections in the country. The theoretical framework is grounded in three fundamental theories: Consociationalism Theory, voting theory, and rational choice theory. The chapter concludes with a summary encapsulating the primary findings and discussions.

2.2 General Overview of Electoral Management System

An electoral management system (EMS) is a comprehensive framework designed to oversee various components of the electoral process. This system encompasses all phases of the electoral journey, from voter registration to the declaration of election results. The EMS incorporates both the hardware and software necessary to administer elections. The structure and function of the electoral management system significantly influence the integrity, transparency, and fairness of the electoral process. Its primary objective is to facilitate the efficient and effective administration of the entire electoral process, ensuring that the results of the elections genuinely reflect the will of the voters (Electoral system (Norris,2012; Lindberg,2006; EPL Graph Search, n.d.) Furthermore, the system aims to create a safe and trustworthy environment for voters, candidates, and election authorities. The electoral management body (EMB) must cultivate and sustain ongoing communication with national legislators who impact the EMB's capacity to oversee elections to achieve these goals.

To promote the collaborative review and reform of electoral laws, the EMB must take prompt action concerning the legal and institutional framework that governs the electoral environment. This is particularly vital given the recommendations made by various election observation missions following elections aimed at mitigating future uncertainties. To enhance the promptness of the review, adoption, and dissemination of electoral reforms, the EMB should work closely with parliamentary bodies. Such cooperation will allow candidates, voters, and other relevant stakeholders to familiarize themselves with the new regulations and engage in effective civic and voter education initiatives. (Knodel, 2019)

According to Bratton (2008), an electoral management system consists of procedures and guidelines that govern the election of representatives and chief executives within a governmental organization. Corradetti (2015) further defines an electoral management system, also called a voting system, as a collection of regulations that dictate the conduct of elections and referendums, as well as the methodologies for determining election outcomes. Electoral management systems are instrumental in selecting government officials; however, similar processes may also be observed in informal, business, and non-profit organizational elections (Birch, 2011).

These regulations govern all facets of the voting process, including the timing of elections, voter eligibility criteria, the qualifications for candidates seeking office, methods for marking and casting ballots, counting procedures, and the mechanisms for determining election outcomes. Additionally, they encompass spending limits on campaigns and other variables that could influence election results. Political electoral systems are typically delineated by constitutions and electoral laws, with election commissioners responsible for their administration and capable of overseeing various types of elections for different offices (Anderson, 2005).

A single winner may be elected for specific offices, such as the prime minister, president, or governor. In contrast, multiple winners may be chosen for positions like members of parliament or board directors. Electoral districts may be divided into constituencies, each represented by one or more officials to elect a legislative body (Klopp & Kamungi, 2010). Voters can choose to cast their ballots directly for an individual candidate or a slate presented by a political party or coalition. Prominent electoral management systems include first-past-the-post voting, block voting, the two-round (runoff) system, proportional representation, and ranked voting. Additionally, a variety of electoral

administration systems exist. Some electoral management systems, such as mixed systems, combine elements of proportional and non-proportional voting methods (Wasik, 2017).

Social choice theory, commonly called voting theory, involves studying formally specified election processes. This field intersects with political science, economics, and mathematics, particularly within the sub-disciplines of game theory and mechanism design. (Knodel, 2019). Arrow's impossibility theorem notably illustrates that no preferential voting system can guarantee that the competitive landscape between two candidates remains unaffected when an irrelevant candidate enters or exits the race, particularly when voters have three or more options to consider (Soderstrom, 2019).

2.1.1 Global Overview of Electoral Management Systems

In the global landscape, electoral management systems (EMS) exhibit considerable diversity, reflecting different countries' unique political, legal, and social environments. Nevertheless, there are several common characteristics that many electoral systems share across the world. A crucial aspect of an effective EMS is its independence and impartiality, as highlighted by Saurugger and Terpan (2016). For an electoral system to gain credibility, it must be perceived as free from undue influence or interference by political actors or external entities. This necessitates that the electoral management body, which oversees the entire electoral process, operates independently, executing its responsibilities without fear or favouritism.

Another essential characteristic of a robust EMS is the capability to conduct precise and timely voter registration. This process entails creating and maintaining an accurate registry of eligible voters, ensuring that all who qualify can register and participate in the electoral process. Achieving this often requires implementing advanced technology and effective

data management systems, coupled with community outreach efforts to raise awareness about the registration process and encourage participation among eligible voters.

The voting process represents a fundamental aspect of any EMS, and various voting methods are employed globally. These methods include in-person voting at designated polling stations, early voting, mail-in voting, and online voting. Each of these voting methods presents its advantages and disadvantages, and selecting a particular one often hinges on various factors, including the size of the electorate, the geographical distribution of voters, and the availability of resources.

In numerous countries, the concept of an election management body (EMB), also called an electoral commission, has been interpreted in diverse ways (Wall & IDEA, 2006). It is important to note that political scientists frequently use these terms interchangeably to describe organizations responsible for electoral management, and the primary mandate of these organizations remains the organization and conduct of elections (Pintor, 2000). For instance, in Mexico, the EMB is administered by the Federal Electoral Institute; in Paraguay, it is managed by the Federal Electoral Justice; in Honduras, the National Electoral Tribunal oversees it; in Russia, the Central Election Commission is in charge; and in the United States, it is managed by the Federal Election Commission.

Moreover, Wall and IDEA (2006) indicate that distinct election management bodies (EMBs) may be formed to oversee various electoral processes. For example, in Mexico and Poland, a single EMB is responsible for managing presidential and parliamentary elections; however, in Lithuania, one EMB is tasked with presidential elections while another oversees parliamentary polls. The overall conduct of elections and referendums in the United Kingdom is notably different, with election-related responsibilities potentially divided among bodies at multiple levels. This distribution allows for intentional

accountability concerning specific elements of the electoral process. For instance, while a national government agency might handle certain aspects of election administration, others could be conducted by local commissions, regional government ministries, or local authorities (Wall & IDEA, 2006).

The primary electoral management models that countries commonly utilize are the independent model, the governmental model, and the mixed model. Substantial differences in the particulars of EMB designs based on the chosen model exist (Wall & IDEA, 2006). However, the effectiveness of EMBs as crucial institutional pillars of electoral governance primarily, albeit not exclusively, depends on their independence from the executive branch (Mozaffar, 2002). Figure 2.1 illustrates the categorization of these various models, providing a visual representation of their differences.

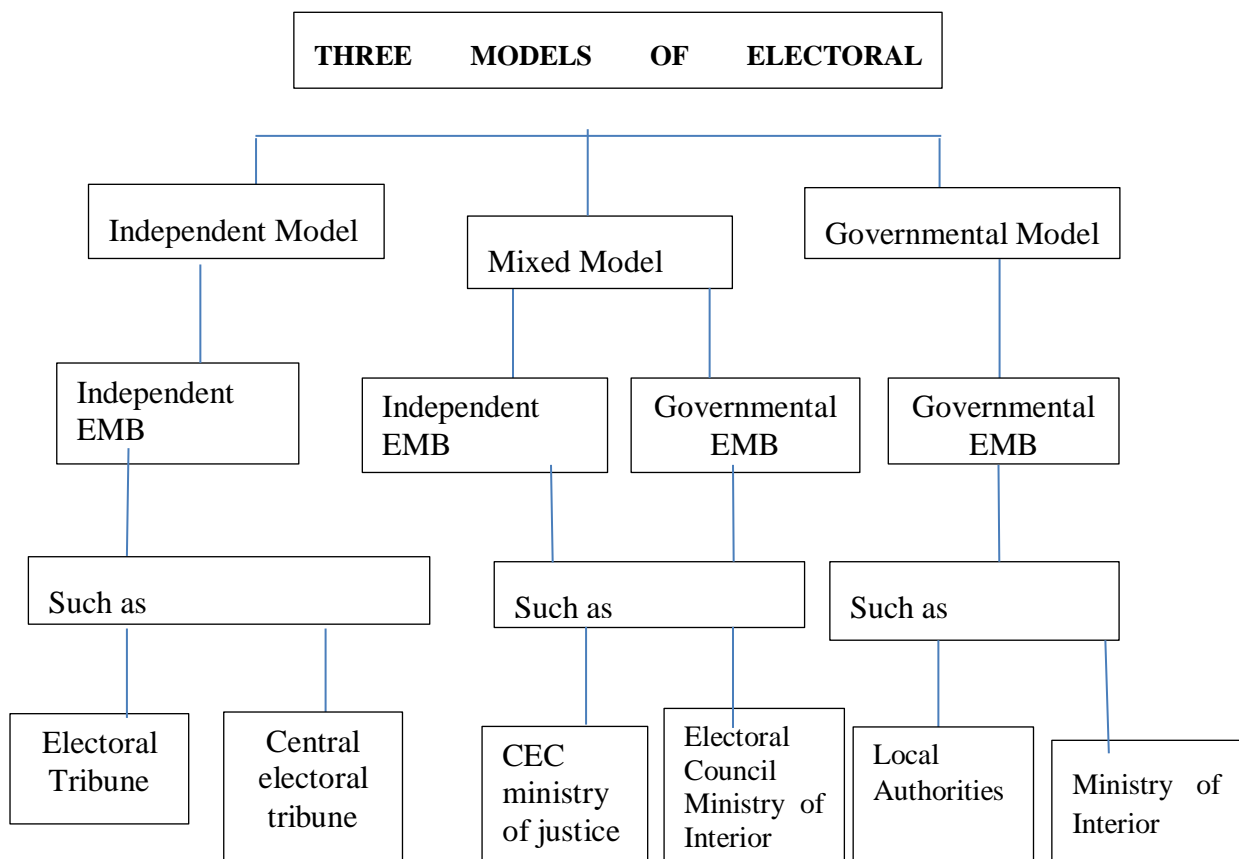


Figure 2. 1: Models of Electoral Management System

Source: Reynolds *et al.* (1995)

CEC: Central Electoral Commission

Source: Wall & Idea, 2006

As illustrated in Figure 2:1, various countries that implement elections through an electoral management body (EMB) that is established, independent, and free from the control of the executive branch of government—and that has its budgetary authority—tend to employ what is known as the independent model of electoral management. Nations such as Kenya, Burkina Faso, Liberia, Mauritius, Nigeria, and South Africa exemplify the presence of such independent EMBs (Milenkovic,2019). Conversely, in countries where the electoral process is overseen by the executive branch, typically through a ministry like the Ministry of the Interior or local government authorities, the governmental model of electoral management is utilized. Most countries that adhere to this governmental model are located outside Africa, with examples including Denmark, New Zealand, Tunisia, and the United Kingdom; however, it is noteworthy that the latter applies to elections but not referendums.

In mixed electoral management models, two types of EMBs typically exist: one EMB is responsible for policy oversight or supervision and operates independently of the executive branch alongside another EMB integrated within a governmental department or local authority. Countries such as France, Japan, Spain, and numerous former French colonies in Africa—especially in West African nations like Mali, Senegal, and Togo—utilise this mixed model (Duran Alcantara,2019), as noted by Wall and Idea (2006). Ultimately, the focus for EMBs should lie on how effectively officials manage the political landscape to conduct elections that can be assessed as being accessible, fair, credible, and verifiable, leading to results that are widely accepted without dispute (Olaniyi, 2017). Therefore, it is essential to recognize the validity of the three-tiered categorization presented. No model stands out as the ideal choice, as each has advantages and disadvantages (Fombad, 2016).

Electoral systems serve a crucial role in allowing political parties—representing the various factions or ideological groupings that comprise a nation—to engage in public

policy development and in the intricate process of translating votes into seats within a legislative body. According to the analysis by Saurugger and Terpan (2016), any electoral system fundamentally includes three critical elements: the size of electoral districts, which refers to the number of representatives elected from a given district; the electoral formula, which outlines the procedure by which a seat will be allocated; and the ballot structure, which determines whether a voter casts their vote for an individual candidate or a party and whether they make a single selection or express multiple preferences (Ouchó, 2002).

O'Driscoll (2017) identifies three primary categories of electoral systems: plurality/majority, mixed, and proportional systems. These categories are distinguished by the methods employed to convert votes into legislative seats, along with a fourth category encompassing electoral systems that do not fit neatly into those above three main categories. Within these overarching families, twelve distinct electoral systems have been identified. The foundation of plurality/majority systems is built on the principle that a candidate or party that receives a majority of the votes—defined as more than 50% plus one vote, which constitutes an absolute majority—or a plurality, meaning more votes than any other candidate or party, is declared the winner. Nurmi (2018) points out that such systems may utilise either multi-member districts—employing block voting or party block voting—or single-member districts, using first-past-the-post (FPTP), alternative voting, or the two-round system.

In a plurality voting system, it is sufficient for the candidate or candidates with the most votes to prevail without the necessity of obtaining an outright majority. First-past-the-post stands as the second most prevalent electoral system for national legislatures, being adopted by fifty-eight countries for this purpose, the vast majority of which are current or former British or American colonies or territories. This system is employed in elections

with only a single position to fill. Notably, it is also the second most common system for presidential elections, utilized by nineteen nations (Norris et al., 2015). The terminology associated with plurality voting includes block voting, multiple non-transferable votes, or plurality-at-large, mainly when various positions are to be filled, most often occurring within multi-member constituencies (Muchlinski et al., 2019). This can be accomplished through two primary methods. In one approach, voters are allotted the same votes as available seats. Regardless of party affiliation, they can select any candidate, a process currently implemented in eight countries.

Another variation of this system is known as the single non-transferable vote (SNTV), which permits voters to select only one candidate in multi-member constituencies, with those candidates garnering the highest vote counts being declared the winners. This system is in practice in Kuwait and Vanuatu. Additionally, there is limited voting, where voters are permitted fewer votes than there are positions to be filled; Gibraltar stands as the sole territory employing this system. (Knodel, 2019) In a variant of block voting that is the second most prevalent, typically called party block voting, voters can only select multiple candidates from a single political party, with the party receiving the highest votes winning all available positions. This method is part of hybrid systems in five different nations (MacWilliam, 2012).

Voters in Nauru utilise the Dowdall system, a variation of the Borda count designed for multi-member constituencies, to rank candidates according to the number of seats available (Mancebo, 2019). In this system, first preference votes are tallied; second preference votes are divided by two; third preference votes are divided by three; this process continues down to the final position. Determining winners is based on the total sums each candidate has accumulated (Lockwood & Kroenke, 2018).

Majority voting, as defined by Klaus et al. (2015), is characterized by the requirement that candidates must secure a majority of votes to be declared the winner of an election, whether this occurs in a runoff election or the final voting round (Knodel, 2019). However, in specific scenarios, it may be acceptable for a candidate to win with only a plurality of votes in the final round of voting if no candidate can achieve a majority (Korolev, 2015). There are two primary types of majoritarian systems: one employs ranked voting within a single election, while the other uses multiple polls to narrow the candidate field gradually. Both types are predominantly applied in constituencies represented by a single member (Kanyinga & Long, 2012).

Instant-runoff voting (IRV) allows voters to rank candidates according to their preferences, enabling majority voting in a single election. This approach is utilized in parliamentary elections in countries such as Australia and Papua New Guinea. In instances where no candidate achieves a majority of votes during the first round, the second preferences of the lowest-ranked candidate are then aggregated with the totals. (Garmann, 2014). This process continues to be repeated until a candidate secures more than 50% of the valid votes cast. If no candidate can meet this threshold, the counting process may continue until only two remain; at this point, the candidate with the highest vote total is declared the winner.

A variation of IRV known as the dependent vote allows voters to have a limited number of preference votes but does not require them to rank all candidates (Kakuba, 2016). In this modified system, if no candidate achieves a majority of votes in the first round, all candidates are eliminated from further consideration except for the top two, whose highest remaining preference votes are then added to the totals to ascertain the winner. Under this system, voters in Sri Lanka's presidential elections can express up to three preferences (Herman, 2013).

The two-round system is recognized as the most widely utilized method for presidential elections globally, currently employed by eighty-eight countries, and it is also the selection method for the legislature in twenty additional nations (Hafner-Burton et al., 2018). If no candidate receives a majority of votes in the first round, a subsequent round of voting is conducted to determine the winner. Typically, only the two candidates with the highest vote count from the first - round advance to this second round. However, there are circumstances where more candidates may participate in the second round, in which case plurality voting determines the outcome. Some nations have adopted the two-round system with unique modifications; for example, in Ecuador, a presidential candidate can be declared the winner if they obtain 40% of the votes and are at least 10% ahead of the nearest competitor, while in Argentina, a ballot-age system operates under similar principles (i.e., 45% plus 10% ahead (Political electoral systems. n.d.)).

In specific systems employing an extensive ballot, each round of voting eliminates the candidate with the fewest votes, and this process is not confined to only two rounds. While this system is not prevalent in significant popular elections due to the potential for numerous rounds of voting, it is seen in selecting Speakers of Parliament in various nations and electing members of the Swiss Federal Council. In some designs, rounds may be conducted repeatedly without any candidates being eliminated until a candidate ultimately receives a majority, somewhat akin to the Electoral College system utilized in the United States (Flores & Irfan, 2016).

The family of electoral systems categorized as proportional representation (PR) is based on the principle that the total number of votes received by a party or group should correlate with a corresponding number of seats within a legislative body. For instance, a party receiving 30% vote should ideally hold approximately 30% of the seats. To facilitate this,

implementing multi-member districts is essential across all PR systems. The two main subtypes of PR systems are list PR and single transferable (Fjelde, 2020).

In the contemporary political landscape, a substantial number of national legislatures across the globe employ various forms of the proportional representation electoral system to select their representatives (Kimeu, 2022). Specifically, around eighty nations utilise the party-list proportional representation system, where voters choose candidates from a list put forward by political parties. In systems characterized by closed lists, voters cannot influence which candidates the party proposes. In contrast, in open list systems, voters can vote for individual candidates from a party's list, impacting the sequence in which candidates secure their positions (Taylor et al., 2017).

Several countries, including Israel and the Netherlands, implement what is known as 'pure' proportional representation during their electoral processes (Doring & Manow, 2017). In these nations, votes are aggregated at the national level, with seats subsequently allocated to the various political parties based on the overall vote counts they receive. To introduce an element of regional representation, many of these countries employ multi-member constituencies instead of relying solely on a single nationwide constituency. However, this can result in a scenario where the allocation of seats does not accurately reflect the national vote distributions. To mitigate this issue, some nations introduce levelled seats designed to ensure that parties whose total seat counts fall short of their share of the national vote receive additional seats (De Vidovgrad, 2015).

Within the framework of proportional representation, there are diverse methodologies for distributing seats among political parties, in addition to considering the electoral threshold—the minimum percentage of votes a party must secure to gain representation (Dercon et al., 2012). The systems can be categorized into two primary types: highest

average and largest remainder systems. In highest average systems, which include methods such as the D'Hondt method (along with its variations, including the Hagenbach-Bischoff method) and the Webster/Sainte-Lagu method, the total votes received by each party are divided by a series of divisors to calculate figures that determine seat allocation. Conversely, the largest remainder systems utilise a quota, which is derived by dividing the total number of votes by the number of available seats, to allocate vote shares among parties.

This process often results in some seats remaining unfilled, then distributed among parties based on the highest fraction of seats they still have. Examples of the largest remainder systems include the Hare quota, Droop quota, Imperial quota, and Hagenbach-Bischoff quota (Freytas-Tamura, 2017).

Another notable method of proportional representation is the Single Transferable Vote (STV), practiced in countries such as Malta and the Republic of Ireland. The STV system allows voters to rank candidates within a multi-member constituency rather than selecting from a predetermined party list. To be elected, candidates must achieve a specified quota, with the Droop quota being the most commonly used standard. Those candidates who meet the requisite threshold in the initial counting phase are elected. Once all available seats have been filled by candidates who satisfy the quota, votes from candidates who have received the fewest votes are reallocated, alongside any surplus votes from successful candidates (Daxecker, 2012). The single non-transferable vote (SNTV) is another electoral framework used within multi-member districts, allowing voters to cast one vote for a single candidate. The limited ballot (LV) and Borda count (BC) systems represent two additional variations of individual electoral methods. As Duncan (2017) noted, the LV system is akin

to the SNTV system but permits voters to cast multiple votes, albeit fewer than the total number of candidates available.

In various nations, mixed systems are utilized to conduct legislative elections. These systems encompass both mixed-member majoritarian and parallel voting methods, the latter of which is often referred to as mixed-member proportional representation. In non-compensatory parallel voting systems, which operate in approximately twenty countries (Collier et al., 2010), there are two distinct approaches to electing legislature members (Electoral System. n. d.) One membership segment is selected through plurality or majority votes within single-member constituencies, while the remaining members are elected via proportional representation. Notably, the results of the proportional vote are unaffected by the outcomes of the constituency votes (Cheeseman, 2008). In contrast, compensatory mixed-member representation adjusts the results of the proportional vote to align with the number of seats acquired through the constituency vote, thereby providing an adequate level of compensation. Mixed-member proportional systems, utilized in eight countries, ensure that the number of seats parties receive is proportional to their share of the total votes cast (Ndungu, 2021).

Specific systems may not provide sufficient compensation, leading to overhang seats, where parties gain more seats than their vote share typically warrants (Brown & Siram, 2012). In variations of this concept, such as the Additional Member System and Alternative Vote Plus, voters cast their ballots for single-member and multi-member constituencies (Electoral System n. d.) In the latter's case, the allocation of seats is adjusted to reflect the number of seats won by the parties in the former, ensuring that the overall seat distribution remains proportional to the parties' respective vote shares (Bratton & Kimenyi, 2008).

Unlike the seat linkage (top-up) approach of mixed-member proportional representation (MMP), mixed single-vote systems often incorporate a vote transfer mechanism. They may or may not achieve proportional representation. Italy employed Scorporo, an innovative mixed-member compensatory representation system incorporating negative vote transfer, from 1993 to 2006 (Boone & Norma, 2012). As noted by Rasmussen (2018), some electoral systems include a majority bonus scheme designed to secure a majority for a single party or coalition within the legislature or provide a significant numerical advantage to the party receiving the highest vote count. In San Marino's modified two-round system, if no majority is achieved in the first voting round, the top two parties or coalitions progress to the second round of voting, with the winner in the second round being guaranteed 35 out of the 60 seats in the Grand and General Council (Bogaards, 2014).

Following the elections of 2019, Greece abolished the provision that awarded the party with the highest vote an additional fifty seats. Conversely, in Uruguay, a double simultaneous vote system is implemented to elect the president and members of the general assembly. In this system, voters submit a single ballot for their party's president, senator, and chamber of deputies' nominees. This voting method has also been previously utilized in the Dominican Republic and Bolivia (Bleck & Van de Walle, 2013). Within a hybrid electoral system, voters select representatives using two distinct voting methods: proportional representation (PR) and plurality/majority systems. Mixed systems can be categorized into parallel and mixed-member proportional systems (Blais et al., 2015). Typically, plurality/majority systems exhibit a more excellent representation of women compared to PR systems, leading to the strategic design of mixed systems—such as electing half of the parliament through a PR system while the other half is chosen via a

plurality/majority system—as a practical approach to enhancing women’s representation (Bjarne Gard, 2018).

One of the most critical political institutions that significantly influences the strategic dynamics of democratic competition is the electoral system (Norris, 2012). According to Mozaffar (2003), elections are vital in organizing political discussions surrounding distributional outcomes within democratic contexts. At its core, the electoral system converts the votes cast during general elections into seats controlled by political parties and candidates within national and, where necessary, subnational legislatures (Reynolds et al., 2005). The procedures governing elections and the methods for counting votes to determine election outcomes, along with the legal frameworks and electoral structures, profoundly impact the patterns of political mobilization and representation (Reynolds & Sisk, 1995; Birch and Lindbergh, 2005).

The essential elements of an electoral structure encompass the voting method (whether majority/plurality, proportional, mixed, or another system). Additionally, factors such as district magnitude (the number of legislators elected by a specific district) and the ballot structure (for example, whether voters are permitted a single choice or have access to a range of options) also play a significant role (Reynolds et al., 2005).

Electoral structures hold considerable significance for numerous reasons. Firstly, they can influence the coherence or fragmentation of party systems, which in turn affects the overall efficiency of the executive branch. Furthermore, electoral systems can either mitigate or exacerbate conflict and abuse within political systems. Moreover, they play a pivotal role in shaping public policy outcomes and determining the motivations and incentives of political actors. The specific formula used to elect politicians directly impacts whom they perceive as their primary accountability—whether to voters or their political parties—and

shapes their utilization of public resources in building connections with constituents and influencing the potential for corruption and electoral fraud.

Grasping these complex dynamics is essential from a governance perspective, as it illuminates the social contexts in which political actors operate and the motivations that drive their behaviors. Nevertheless, it is crucial to recognize that electoral procedures do not exist in isolation. In addition to electoral mechanisms, various other influences shape the outcomes of elections (Reynolds et al., 1995; Horowitz, 2003; Cox, 1997). For instance, considerations such as whether a nation's government operates on a federal or unitary basis, the existence of a presidential system or parliamentary representation, and the nature of social divisions—be they ideological, religious, ethnic, racial, geographic, linguistic, or class-based—are all significant factors. Furthermore, whether a country is a well-established democracy or a hybrid model exhibiting traits of authoritarianism and democratic governance also plays a critical role. Other considerations include a stable party organization.

Are the supporters of a particular political party geographically grouped or dispersed across a wide area? How does a political party's diverse orientation impact its interactions with political leaders and candidates? Are political parties programmatic, clientele, or charismatic? As can be shown, contextual factors have a significant impact on how well voting systems work. Several electoral system types and modifications are used today (Reynolds et al., 2005). For ease of reference, they can be grouped into three categories: plurality/majority systems, sometimes referred to as first past the post (FPTP); proportional representation; and a mixed model (Reynolds et al., 1995). This model is shown in Figure 1.1.

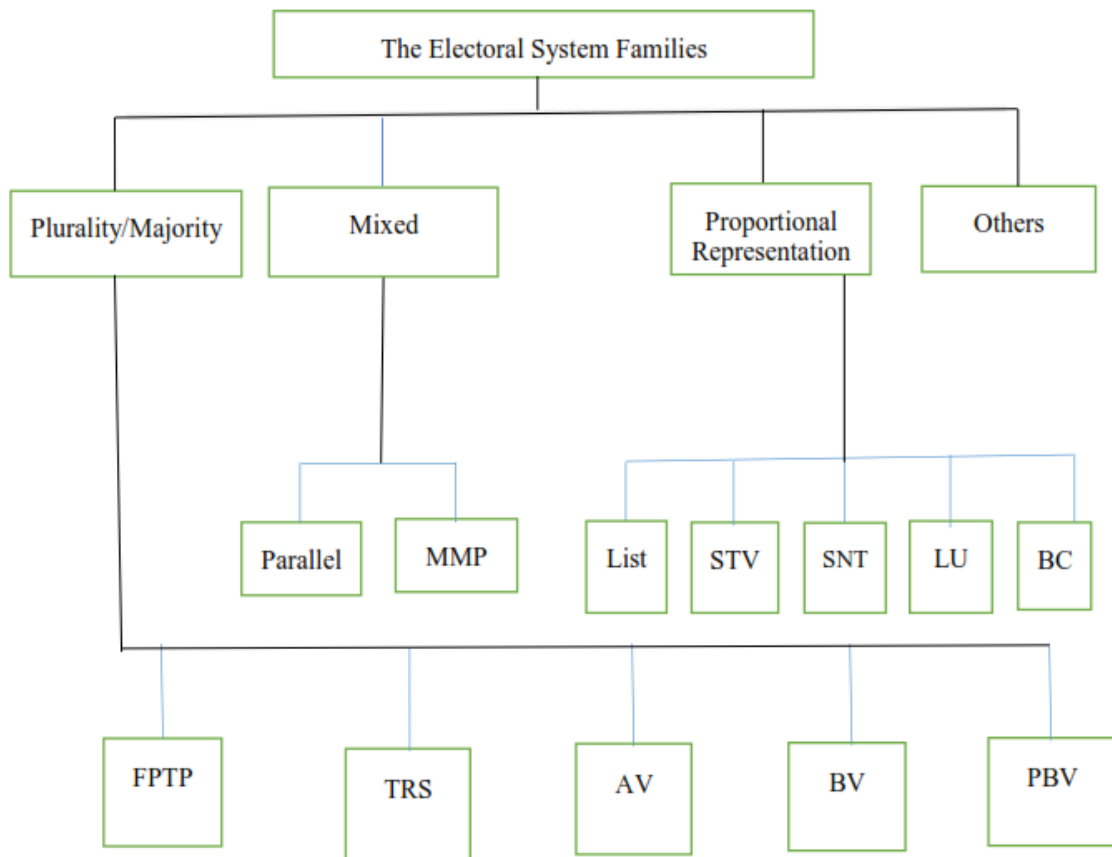


Figure 2. 2: The Electoral System Families

Source: Reynolds et al., 1995

The three leading electoral families' salient traits and traits are described here (Reynold et al., 1995). In a plurality system, each electoral district has a single seat, and only one candidate will be chosen. If a candidate receives the most votes under the First Past the Post system, they may not necessarily need more than 50% of the vote to win the seat. A two-round voting process, on the other hand, aims to ensure that the winning candidates achieve a resounding majority [i.e., more than 50% by choosing the winner based on voters' second preferences]. The plurality system, in which the candidate with the most votes wins without needing to receive a majority vote, is characterized by multiple voting. It is also referred to as first past the post when only one open position exists. 58 nations,

the bulk of which are former British colonies or of American ancestry, elect their parliaments using this as the second most common electoral method for national legislatures. With 19 countries having presidents, it is also the second most popular system for presidential elections (Electoral system n. d.) Figure 2.3 provides a good illustration of this.

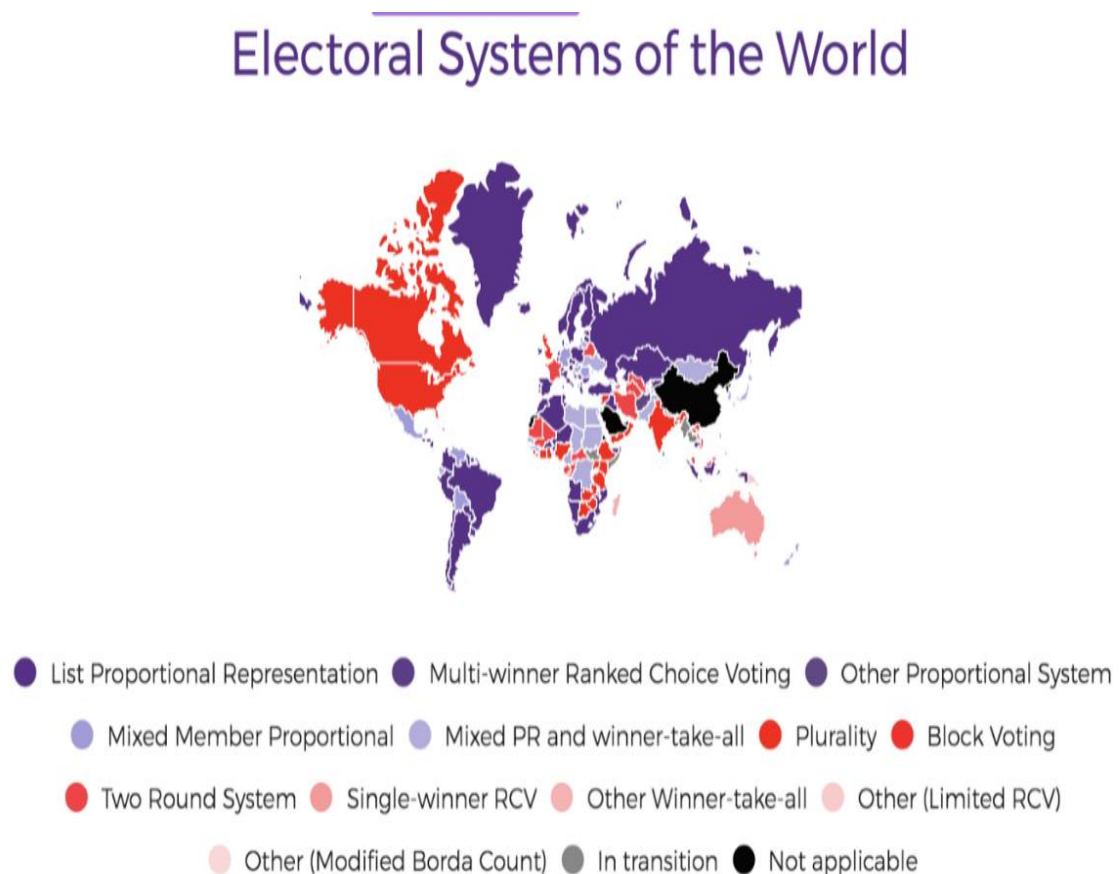


Figure 2. 3: Distribution of Electoral Systems in the World

Source: Adopted from the Institute for Democracy and Electoral Assistance

All proportional representation (PR) systems intentionally narrow the gap between a party's share of the national vote and the distribution of its parliamentary seats. A significant party should hold about 40% of the seats in the legislature if it receives 40% of the votes, while a minor party should have 10% of the seats if it gets 10%. Party lists of

candidates are typically used to achieve proportionality; these lists can be open (where voters rank the candidates in order of preference) or closed (where the party leadership determines the ordering before the elections). Delegates are chosen in mixed systems, for instance, by fusing aspects of the PR and plurality systems.

Of the 199 countries and territories having direct elections to the legislature, 91 (or 46% of them) use a plurality arrangement, making it the most widely used system in the world. Only six (30%) systems are used, compared to 72 (36%) PR-type systems, 30 (15%) mixed systems, and 72 (36%) PR-type systems.

In the 199 countries and territories with direct elections to the legislature, the plurality system is used the most frequently (91 or 46% of the time). Only 30 (3%) of the remaining 72 (or 36% of the total) use one of the other arrangements, while 15% use mixed arrangements and 72 (or 36% of the total) utilise PR-type arrangements (Reynolds, 1995).

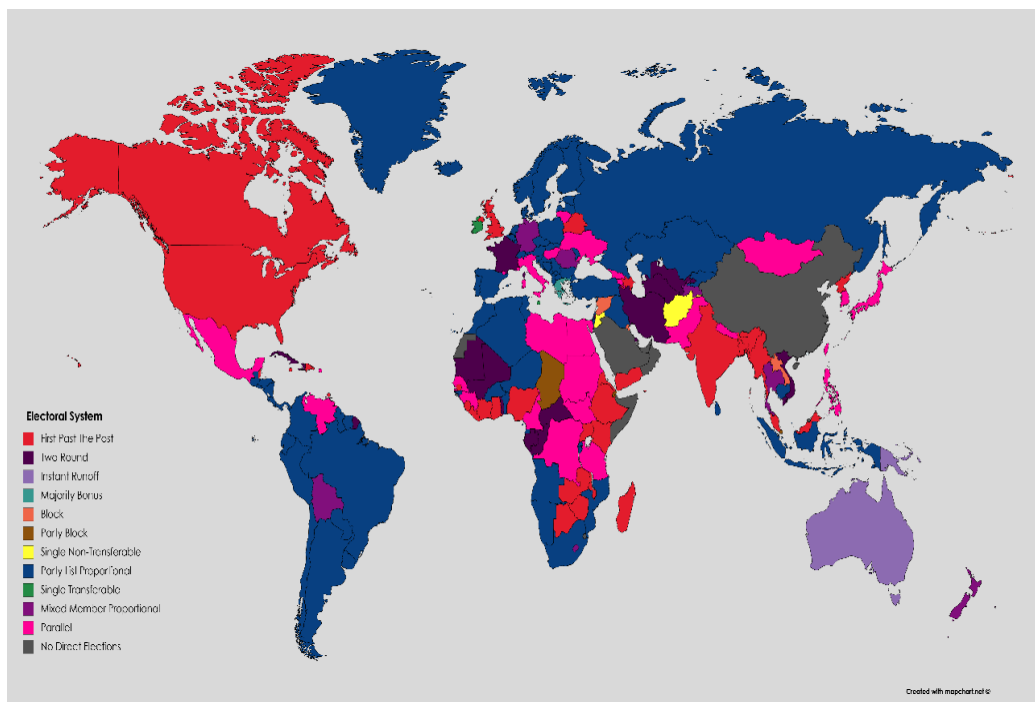


Figure 2. 4: Regional Distribution of Electoral Systems around the World

Source: adapted from Institute for Democracy and Electoral Assistance

The conditions that facilitate clear distinctions between winners and losers in electoral outcomes, coupled with the absence of effective electoral regulations and an administrative framework lacking in both authority and accountability, create a context ripe for issues concerning the relationship between electoral processes and the subsequent abuse of power after elections (Hoglund, 2009). According to Cohen (1997) and Benoit (2004), the various electoral systems commonly utilized—such as proportional representation, majority rule, and mixed electoral systems—do not exhibit a significant difference in their level of democratic efficacy.

It has been posited that violence is more likely to occur in electoral arrangements where a small percentage of voters can wield substantial influence over the election results. For instance, configurations like the First Past the Post system are associated with a heightened probability of violence (Hoglund, 2010). Scholars remain divided on which electoral structure is most suitable for communities and states that are ethnically diverse, divided, or prone to conflict. Two prevailing perspectives have emerged: one that advocates for proportional representation in the context of entrenched ethnic divisions, arguing that it is essential for adequately representing minority groups (Fjelde & Hoglund, 2016).

The principles underlying electoral design within the framework of consociationalism highlight representation strategies aimed at managing ethnic cleavages, primarily based on systems of elite power-sharing. Proponents of this perspective assert that party-list proportional representation (PR) is the optimal solution for divided societies, as it allows different groups to foster their own identities (Fjelde & Hoglund, 2016). Moreover, these advocates argue for proportional representation within parliamentary structures to ensure that various demographics are adequately represented. This suggestion aligns with the research of Lijphart (1963), who is often associated with the consociationalism model,

who conducted an extensive analysis of power-sharing democracies across various European nations, particularly in the Netherlands, Belgium, and Switzerland.

Nonetheless, a contentious debate exists regarding how these interventions should be implemented in situations characterized by violence or conflict in developing nations (Sisk, 1998). Some scholars argue that voting systems based on proportional representation can exacerbate divisions and reinforce narrow identities, which may intensify existing conflict lines rather than promote consensus (Horowitz, 1993). This view suggests that coalition-building becomes increasingly tricky in societies with multiple social cleavages, potentially leading to feelings of disenfranchisement and further polarization. They argue that candidates need to secure substantial support to succeed, which complicates matters in a PR system, mainly when specific rewards can be more easily achieved. For instance, electoral processes in Kenya and Nigeria mandate that presidential candidates gather support from diverse regions to avoid parochialism and regionalism.

However, this principle holds only if potential rival factions are not geographically concentrated (Horowitz, 1993). Much research concerning electoral systems, democracy, and violence is mainly theoretical. When empirical evidence is available, it often pertains to specific countries. Yet, some studies have endeavoured to provide more consistent evidence regarding the correlation between electoral processes with low thresholds and the significant incentives for party expansion. Consequently, a limited number of groups possessing the capacity to influence or disrupt a government, as seen in Israel, can disproportionately affect public policy and patronage decisions.

Consequently, scholars operating within this analytical framework argue that while promoting equilibrium and tolerance are commendable objectives, simultaneously achieving both can be challenging and may lead to contradictory outcomes (Horowitz, 1993). This perspective advocates for political systems that necessitate compromise among various subgroups as a prerequisite for electoral success, thereby fostering connections between disparate groups. It is generally believed that the majority of electoral systems are susceptible to violence or prone to conflict. In addition to formulating a statistical model for effective governance, Leaphart's 1963 work, "The Pattern of Democracy," investigates the connection between electoral systems and conflict. He proposes a consensual approach (PR democracy) as a more effective strategy for conflict management.

However, the data presented by the author appears to be heavily recycled and somewhat outdated. According to Leaphart's research, it remains exceedingly difficult to ascertain even preliminary conclusions about whether specific electoral systems consistently lead to higher violence levels than others. Reynolds and Reilly (1999) explore a broad spectrum of ethnically divided societies, both established and emerging, along with the electoral systems these societies have adopted to mitigate violence and conflict. Their findings indicate that four distinct categories of electoral systems may be appropriate.

Notably, these categories encompass PR systems, Consociationalism (a subset of PR systems based on list proportional voting), and majority/plurality systems. Countries such as Belgium, Switzerland, and the Republic of South Africa exemplify centripetalism, which integrates the alternative vote (AV) or majority rule. Papua New Guinea and Fiji are examples of integrative consensual systems which incorporate elements of the single transferable vote (STV) within their PR framework. Other instances include Estonia and

Northern Ireland, which highlight explicitism, a principle that formally acknowledges communal groups and provides them with institutional representation. The block vote (BV) within the majority family can serve as a foundational example of explicitism, as demonstrated by Singapore and Mauritius. The authors also emphasize the fractured nature of communities that have experienced conflict, illustrating that there is no universal electoral system capable of effectively addressing conflict-related violence in every context. A myriad of politically contentious elements can directly impact the electoral process. Factors such as the nature of aggression, the scale of conflict, its geographic and demographic manifestations, colonial legacies, and other variables all contribute to determining the most suitable voting system within a political landscape.

Finally, Reynolds and Reilly (1999) assert that while selecting an electoral system is critical, it is not the sole determinant in cultivating a structured, stable democracy that can resolve disputes amicably. The preceding analysis sheds light on the complexities the international community faces in addressing deeply polarized and unstable nations that are concurrently striving for democratic transition. There are no straightforward solutions. As previously noted, plurality systems may be more likely to attract parties with broad-based support while excluding extremist factions, but this is contingent on the geographic distribution of electoral support. Furthermore, these systems may impose costs on fairness and representation that may be untenable (as observed in Iraq).

While AV and SNTV systems can address some of these issues, they also introduce new challenges. AV's inherently dynamic nature requires a complex voter base with a high degree of numeracy. Due to its emphasis on internal party competition, SNTV can exacerbate patronage, create friction within parties, and lead to fragmentation. However, two-round majority systems seem to result in significantly costly electoral processes that

demand a higher level of engagement from voters, who may be required to cast their votes multiple times.

Two-round majority mechanisms may also be instrumental in promoting greater coherence and continuity within party structures.

The electoral system is one of the most pivotal political frameworks influencing the strategic context of electoral competition. Mozaffar asserts that "electoral systems structure political disagreements over distributional results in democratic politics" (Mozaffar, 2003). Translating votes into seats, or the choice of electoral legislation, significantly impacts trends in political mobilization and representation (Birch, 2011; & Lindberg, 2006). Majoritarian systems often enhance the electoral prospects of dominant parties, whereas PR systems are generally less effective at providing opportunities for minor parties to gain seats.

As a result of various factors, electoral institutions wield a significant influence over the distribution of parties involved in the political arena (Benoit, 2001). When majoritarian electoral laws are in place, they often lead to the perception among smaller political parties that they are substantially underrepresented or even entirely excluded from gaining political power. This is mainly because such laws predominantly reward the majority party, imposing higher barriers for smaller parties to achieve representation and influence (Linberg, 2006; Reynolds, Reilly, & Sisk, 1996). In systems governed by majoritarian voting regimes, the stakes of political elections are heightened, as these systems are designed to yield a clear winner and definitive results. In nations with well-established democratic frameworks, the potential for electoral defeat mustn't motivate politicians to resort to violent tactics during elections. Utilizing the terminology introduced by Przeworski, one can argue that formal institutions play an essential role in fostering clarity

and facilitating the transfer of authority from individual political actors to a structured body of laws (Przeworski, 1991). The robustness of these institutions encourages citizens to uphold democratic values and accept electoral losses, as they assure that even those who lose will have opportunities for future political engagement.

Moreover, the literature has explored various global electoral management systems, highlighting best practices that can reinforce democratic systems. Electoral management institutions can learn from different countries, including the United States, the United Kingdom, Bosnia and Herzegovina, and Fiji. The subsequent sections will delve into the electoral reforms adopted in each nation.

In the context of the United States, presidential elections are held every four years on the first Tuesday of November, as noted by Ross (2015). The upcoming presidential elections are scheduled for November 4, 2024, following the previous election on November 3, 2020 (Ross, 2015). The process of selecting presidential candidates occurs through a series of primary elections and caucuses, which allow all states to participate in helping political parties nominate their candidates for this significant position. Once the primaries and caucuses conclude, the political parties typically convene national conventions to finalize their selections for both presidential and vice-presidential nominees (Ross, 2015). The two most dominant political parties in the United States are the Republican Party and the Democratic Party. The primary objective of a national convention is to formally confirm the candidate who emerged victorious in the primaries and caucuses by securing the necessary number of delegates. However, in cases where there is no clear winner, the convention serves as a platform to select the party's presidential nominee.

Following each political party's selection of presidential and vice-presidential candidates, the general election campaign period commences. During this period, candidates travel

throughout the nation, presenting their manifestos to the public and vying for the support of potential voters (Ross, 2015). The primary methods utilized for campaign purposes include rallies, debates, and various forms of advertising.

While candidates contending for state and federal offices are elected directly by the populace, the presidential and vice-presidential positions are filled through a process known as the Electoral College, as outlined in the United States Constitution. Each state is allocated a specific number of electors (Amar, 2013), with the number of electors for each state determined by its congressional representation (both House and Senate). Consequently, this arrangement results in some states having more electors than others. For example, California is assigned 55 electors, while South Dakota has only 3. There are 538 electors, and a presidential candidate must secure a minimum of 270 electoral votes to be declared the winner (Amar, 2013).

Even though the electors determine the winners of presidential elections, the general public's vote frequently plays a significant role in influencing the outcome. In many instances, electors will cast their votes in alignment with the popular vote of their constituents. However, there are occasions when electors may diverge from the electorate's preferences and their party's nominee. This scenario raises the possibility of a candidate winning the Electoral College while losing the overall popular vote. This situation has occurred five times in U.S. electoral history, with the most recent instance occurring in 2016 (Amar, 2013).

In rare circumstances, no presidential candidate may attain the required threshold of 270 electoral votes. In such instances, the House of Representatives and the Senate are

empowered to elect a new president and vice president from among the top three and two candidates, respectively (Amar, 2013). The last time the legislative branch was required to elect a president was during the elections of 1824, resulting in Quincy Adams emerging as the victor. The president's inauguration occurs on January 20th, or January 21st, if January 20 falls on a Sunday, at the U.S. Capitol in Washington, D.C.

In the United Kingdom, general elections occur every five years in May, as Dunleavy (2005) highlighted. However, Parliament retains the authority to call for elections earlier than the scheduled date. The UK Parliament comprises 650 constituencies, each representing a relatively equivalent population (Dunleavy, 2005). Every constituency is represented by a Member of Parliament (MP) in the House of Commons, the lower chamber of Parliament in the UK. The most prominent political parties in the UK include the Scottish National Party, Labour, and the Conservative Party, often referred to as the Tories. Before a general election, political parties typically select their preferred candidates for each constituency. However, some smaller parties may opt to nominate candidates only in constituencies where they believe they have a viable chance of winning. Additionally, there are instances where some individuals choose to run as independent candidates.

The electoral system utilized in the UK is known as 'first-past-the-post.' This system indicates that the candidate who secures the most votes will be declared the election winner (Dunleavy, 2005). Members of the House of Lords, which serves as the upper house of Parliament, are appointed by the Queen based on the Prime Minister's recommendations. To form a government in the UK, a political party must attain at least 320 of the 650 seats (Wasik, 2017). Subsequently, the winning party's leader is appointed by the Queen as the Prime Minister, who then assembles a Cabinet (Dunleavy, 2005). The political party that

secures the second-highest number of seats immediately assumes the role of the opposition, with its leader designated as the opposition leader. A "hung parliament" situation arises when no party achieves more than half of the seats in the House of Commons. In such cases, the party with the most seats may either form a coalition government with a minor party or govern independently, provided that smaller parties offer informal support (Dunleavy, 2005).

It is crucial to understand that the UK lacks a presidential system, making the Prime Minister the highest executive officeholder in the country. Although the Queen is the head of state, she does not exercise the authority to govern the nation. The system is structured to empower the monarch, Parliament, political parties, and the electorate to hold the executive branch, comprising the Prime Minister and the Cabinet, accountable for their actions (Wasik, 2017). An essential aspect of the UK's electoral framework is that it inherently favours larger parties in their efforts to establish governments (Dunleavy, 2005). This trend indicates that the leading parties vying for success in each election are typically either the Conservative Party or the Labour Party.

In Georgia, the political landscape is characterized by a multi-party system and a representative democratic republic functioning within a semi-presidential framework. This structure designates the Prime Minister as the head of government, while the President serves as the head of state. The president and legislative branch members are selected through general elections (Jones, 2014). National-level elections in Georgia are conducted to elect the nation's leader and the legislative body (Jones, 2014).

The president elected in Georgia usually serves a term of five years, while the 150 parliamentary members serve for four-year terms. Notably, out of the 150 seats, 73 are allocated to single-member constituencies, while the remaining 77 are designated for

proportional representation (USAID, 2011). The primary political parties in Georgia include the Georgian Dream, the United National Movement, the Christian Democratic Union, and the Labour Party of Georgia (Jones, 2014).

In Bosnia and Herzegovina, a multi-party system prevails. The presence of numerous political parties within the country often fails to achieve a dominant position, necessitating the formation of coalition governments among parties (Arapovic & Brljavac, 2012). Significantly, Bosnia and Herzegovina are divided into two distinct entities: the Federation and the Republika Srpska.

The governance structure of Bosnia and Herzegovina includes a directly elected tripartite presidency, distinguishing it from other nations that operate under a single presidency (Turner, (Ed) 2017).

The presidency consists of three members representing Bosnians, Serbs, and Croats, and candidates must identify with one of these national identities to qualify for election. As noted by Arapovic and Brljavac (2012), each presidency member is elected individually through a plurality voting system, which allows candidates to win based on securing more votes than their competitors, even if they do not attain a majority.

The Bosnian and Herzegovina presidency consists of three members, representing Bosnians, Serbs, and Croats. To qualify as a candidate for the presidency, one must identify with one of these ethnic groups. According to Arapovic and Brljavac (2012), each presidency member is elected individually through a plurality vote, meaning a candidate only needs to receive more votes than their competitors, not a majority.

The parliament has two chambers: the House of Representatives and the House of Peoples. The House of Representatives comprises 42 members elected through a proportional

representation system. Of these, 28 are elected from the Federation, while 14 come from the Respublika Srpska. In the House of Peoples, which has 15 members, five are selected from each ethnic group (Croats, Bosnians, and Serbs) through indirect elections by their respective communities (Turner (Ed), 2017). The Respublika Srpska has 83 representatives in the House of Representatives, whereas the Federation of Bosnia and Herzegovina directly elects 98 members (Arapovic & Brljavac, 2012).

Parliamentary representatives in the country are elected via open lists and proportional representation. Bosnia and Herzegovina are divided into eight electoral units at the national level—five in the Federation and three in the Respublika Srpska. According to the Electoral Commission report, the country has 3.2 million registered voters. With 65 active political parties, parties often need to form coalitions to secure electoral victories (Turner (Ed), 2017).

In Fiji, the Electoral Commission oversees the electoral process. Anyone aged 18 and older can register and vote, with a secret ballot system used for elections (Ratuva, 2016). Members of parliament are elected through a multi-member open-list proportional representation method (Akram-Lodhi, 2016). Each voter has one vote of equal value. The current parliament has 50 members, but the Electoral Commission can review and adjust the number of parliamentary seats before each election, responding to changes in Fiji's population (Akram-Lodhi, 2016; Ratuva, 2016). The major political parties include Fiji First (FF) and the Social Democratic Liberal Party (SODELPA). In contrast, the minor parties consist of the Fiji Labour Party (FLP), National Federation Party (NFP), People's Democratic Party (PDP), Fiji United Freedom Party (FUFP), and One Fiji Party (OFP) (Akram-Lodhi, 2016). To form a government, a party must secure 50 per cent or more of

the elected seats in parliament; otherwise, they must collaborate with other parties to reach the necessary majority (Akram-Lodhi, 2016).

2.1.2 Regional Overview of Electoral Management Systems and their influence on Post-election Violence

Since the early 1990s, when pluralism was reintroduced into the African regional framework, electoral competition for state power has become commonplace, with most African countries holding more than three or four consecutive elections (Ndulo & Lulo, 2010; Nohlen, 2014; Chitlaoar, 2015). However, the experience of electoral management bodies (EMBs) overseeing these elections has revealed that their independence has often been undermined by various internal and external influences, leading to the manipulation of electoral processes and the subversion of the people's will (Walle & Idea, 2006; Huntington, 1911; Reynolds, 1999).

Many African nations, such as Zimbabwe, Nigeria, Burundi, Malawi, Mozambique, Zanzibar, Sierra Leone, Côte d'Ivoire, Djibouti, the Democratic Republic of the Congo, Uganda, Egypt, and Kenya, have faced protests, political violence, and demonstrations during elections. These issues raise concerns about how EMBs organize and manage the electoral process and whether it is conducted fairly.

When EMBs are ineffective, biased, and vulnerable to manipulation by political elites from the ruling party, the legitimacy of election results is challenged, leading to political violence, ethnic conflict, and social unrest (Gaulme, 2010). This situation calls into question political leaders' legitimacy, policies, and programs, as election outcomes often fail to reflect the popular will (Gaulme, 2010). The following overview illustrates how EMBs have acted as electoral amplifiers in Africa.

The activities of these formal bodies in African political processes are often influenced by powerful, knowledgeable forces that shape the electoral contest. As noted by Levitsky (2012), Bratton et al. (2008), Diamond (1997), Hyden (2002, 1972, 2006), and Van De Walle (2003), informal institutions and patron-client relationships significantly impact the adherence of political actors to established electoral rules, regardless of the election's outcome. In many African developing democracies, pervasive patron-client ties raise the stakes of political defeat (Bratton, 2007; Lindbergh, 2006). These relationships often grant access to state authority, leading to influence over substantial public resources and opportunities for illicit rent-seeking among certain politicians, further complicating electoral dynamics.

Zimbabwe employs a two-round voting system for presidential elections. To be declared the winner, a candidate must receive over 50% of the votes to avoid a runoff (Taylor, Charles et al., 2017; Bekoe (Ed), 2012). If no candidate meets this threshold, a second round occurs, featuring only the top two candidates from the first round, with the candidate receiving the most votes declared president.

Zimbabwe's legislative framework is comprised of a bicameral system, comprising an Upper House (the Senate) and a Lower House (the National Assembly). The parliamentary elections utilise a first-past-the-post system, where the candidate with the most votes wins (Mapuva & Muyengwa-Mapuva, 2014). The parliament has 270 representatives, including 60 women elected through proportional representation and 210 elected directly (Taylor, Charles et al., 2017; Bekoe (Ed), 2012). The Senate contains 80 seats, with 60 directly elected by provinces and 20 allocated between traditional chiefs and representatives of individuals with disabilities (Taylor, Charles et al., 2017; Bekoe (Ed), 2012).

Ghana's electoral process is considered one of the most effective globally. It features a secret ballot, official voter registration, universal adult suffrage for citizens aged 18 and older, and political party registration. The constitution prohibits political parties from endorsing candidates for District Assemblies and lower local government levels. Established in 1992, the Ghana Electoral Commission comprises seven members: a chairperson, two deputy chairpersons, and four additional members selected by the president on the advice of the council of state (Van Gyampo, 2009).

Like Zimbabwe, Ghana uses a two-round presidential election system, requiring candidates to secure more than 50% of valid votes to win. If no candidate achieves this majority, a runoff election is held. The first-past-the-post method is used for parliamentary and local elections (Van Gyampo, 2009). Ghana has implemented various measures to ensure its elections' integrity, fairness, and transparency, including ballot papers, biometric verification, secret ballots, and open ballot boxes (Debrah, 2015). The Electoral Commission is responsible for developing necessary policies, which its three chairpersons execute.

In Nigeria, the constitution mandates that the president is directly elected by the people every four years, with a two-term limit. Concurrently, elections are held for the National Assembly, which comprises the Senate (109 members) and the House of Representatives (360 members) (Osinakachukwu & Jawan, 2011). Unlike other African countries, Nigeria is a federal state, meaning separate elections are held for governors and state legislatures. Governors serve four-year terms and are limited to two terms in office, while legislators are elected every four years. The People's Democratic Party (PDP) and the All-Progressives Congress (APC) are the two dominant political parties, with 14 candidates competing for the presidency in the 2015 elections (Osinakachukwu & Jawan, 2011).

Nigeria also utilizes the two-round system for presidential elections. To be declared the winner, a candidate must secure at least 25% of the votes in two-thirds of Nigeria's 36 states and receive the highest number of votes overall. If no clear winner emerges from the first round, a runoff election must occur within a week, where a simple majority determines the victor (Osinakachukwu & Jawan, 2011).

The Independent National Elections Commission (INEC) oversees elections in Nigeria. Like Kenya, this electoral body has implemented various measures to prevent or mitigate electoral fraud, including an automatic fingerprint identification system to help eliminate duplicate voters (Osinakachukwu & Jawan, 2011). The issuance of biometric voter cards containing voters' names, ages, identity numbers, and fingerprints has also gained significance. The Electoral Commission has also customized voting boxes, ballots, and result sheets to reduce ballot stuffing and box snatching incidents.

Benin operates as a unicameral multi-party democracy where the citizens elect the president and the National Assembly. The presidential election employs a two-round system requiring an absolute majority of votes. The Autonomous National Electoral Commission (CENA) manages elections in Benin. As Hounnikpo and Decalo (2012) state, the elected president serves a five-year term with a maximum of two terms. The National Assembly consists of 83 members representing 24 multi-member constituencies aligned with the country's regions. A permanent computerized list (LEPI) is utilized in the electoral process to facilitate the election of candidates to various seats, and the system is recognized as democratic. The president is elected directly by the populace in two rounds and can serve for a maximum of five years (Hounnikpo & Decalo, 2012). National Assembly representatives are elected through direct popular votes based on proportional representation and serve four-year terms.

The Electoral Commission of Namibia (ECN) manages elections in the country. Some of its responsibilities include directing, controlling, and supervising elections fairly and impartially (Sambo & Alexander, 2018), conducting voter registration, registering political parties, and educating voters. Presidential elections are decided through an absolute majority based on universal adult franchise, while National Assembly elections utilise a direct universal adult franchise single constituency proportional representation system. The Namibian National Assembly comprises 96 members, representing a single national constituency without a legal threshold for participation. Candidates are elected in the order they appear on the party lists, and independent candidates are not allowed to participate in elections. Notably, Namibia has maintained the same electoral system since gaining independence in 1989 (Reynolds, 1994). While Namibia is a democratic state, it is a one-party system, with the South West Africa People's Organization (SWAPO) stronghold in the country's politics since independence. Although opposition parties exist, they struggle to gain significant support (Reynolds, 1994) as they often represent specific ethnic groups. SWAPO has achieved broader national backing due to its role in the independence struggle (Reynolds, 1994).

In African multiparty systems, political activism often emerges when politicians offer incentives to secure citizens' support, influencing their popularity among voters (Lindbergh, 2006; Posner, 2007; Van De Walle, 2003; Von Borzyskowski, 2011). The provision of public goods, such as development services, along with private goods like jobs and cash transfers, frequently depends on well-defined political coalitions. Spoils-based politics often create competing patron-client networks along ethnic lines, elevating the significance of electoral outcomes.

Opposition parties in Africa have also recruited supporters from rival ethnic groups based on exclusive partnerships (Kirscheke, 2000). In this context, it is crucial to understand how electoral systems shape politicians' motivations for using violent electoral tactics and their supporters' willingness to engage in such acts. Institutional electoral norms play a vital role in either exacerbating or mitigating the effects of non-state actors (Levisky, 2012; Mueller, 2011). In majority rule systems, the stakes are considerably higher.

Political risks are more pronounced in majority rule systems than in proportional representation systems, where electoral outcomes tend to distribute influence and power across a broader range of communities. Majority

The winner-takes-all rule operates on a winner-takes-all principle, granting substantial political dividends to the winning party (Brown, 2009; International Peace Institute, 2012). Political parties with strong support within the majority can deploy aggressive strategies during election campaigns. The potential for strong and credible opposition to the incumbent can heighten the government's fear of electoral defeat, increasing the likelihood of both the government and the opposition resorting to violent tactics (Birch, 2011).

Intense competition and elevated stakes may incentivize violent electoral fraud. Birch (2011) notes that in simple majority rule systems, the translation of votes into seats often results in a narrow margin determining winners and losers, meaning that even a few votes can significantly influence election outcomes. This tendency raises the stakes for electoral fraud in majority rule contexts, where closely contested elections create strong incentives for violent coercion (Posner & Daniel, 2007).

Introducing multiparty elections within majority rule frameworks reinforces the incumbency advantage already bolstered by established relationships. In Africa, patronage has shifted focus from the state to political parties, leaving under-resourced opposition parties struggling against government-affiliated parties that benefit from patronage (Van De Walle, 2003).

In majority-rule democracies, the substantial political rewards associated with the party receiving the highest vote share can strengthen the governing party's position. This dynamic may polarize electoral contests further, emboldening ruling parties to engage in unconstitutional tactics and fostering resentment among opposition parties. Due to the organizational weaknesses of political parties in Africa's democratic systems, losing parties often find it challenging to recover from electoral defeats and prepare for future elections. This instability among opposition parties since the advent of multiparty systems indicates this trend (Bogaards, 2000; & Van De Walle, 2009).

The involvement of both formal and informal organizations creates a zero-sum dynamic in electoral contests. Years of consistent exclusion from political power can heighten the risk of electoral violence by diminishing the losing side's commitment to the formal democratic process. A backlash against democracy is likely when both dominant and minority parties have stakes in the political institution (Linz & Stepan, 1996). Thus, the structure of incentives for politicians to resort to violent electoral methods is a collective outcome of majority rule.

In systems governed by majority rules, a strong government is often valued for the resources it allocates to individual party elites and their families. Voters tend to support candidates from their own ethnic groups to gain access to state resources (Posner, 2007; Taylor Charles et al., 2017). Observers of African political dynamics and electoral systems

note that resources that reach individual voters are typically quite limited (Van De Walle, 2009).

However, regardless of how much of the national resources are influenced by shifting electoral alliances, the belief among electoral districts that their community's benefits depend on having one of their own in power may incite mobilization toward violent electoral strategies, particularly when their candidates face significant political defeat. The implications of various electoral systems on actual distribution are hotly debated (Holmquist & Githinji, 2009). Some studies suggest personal political accountability, close electoral competition, and a parliamentary majority associated with plurality norms can curb rent-seeking behaviors and public sector corruption (Joseph, 2014).

Conversely, others argue that majority rule can exacerbate politicians' tendency to prioritize appeasement within narrow networks of diverse ethnic constituencies (Sisk & Reynolds, 1998). Under majority rule, electoral contests are more likely to become viewed as zero-sum battles between different electoral groups, increasing the likelihood of electoral violence. Thus, countries with majority rule systems face a higher risk of electoral violence than those with proportional representation (PR) systems.

This discussion highlights the interconnectedness of electoral institutions with social characteristics. The concept of patron-client relationships as significant informal institutions in African politics emphasizes ethnic-political exclusion and the limited concentration of financial resources, which influence the stakes of electoral contests (Reynolds & Reilly, 1997; Mozaffar, Scarrit & Galaich, 2003). While these factors correlate hardship with patron-client dynamics, the extent of marginalization and wealth distribution varies widely across African countries and party systems. Consequently, we delve deeper into the relationship between electoral systems and factors contributing to

post-election violence. The premise posits that the risk of electoral violence is linked to the failure of large electoral constituencies to gain representation under winner-takes-all majority rule systems (Bogaards,2014). Legislative seats may derive their political allegiance from varied bases, and the potential for perpetual exclusion, rather than solely from group characteristics, can motivate electoral violence.

Recent elections in Zimbabwe exemplify how the direct link between political power and economic wealth can fuel violent conflict. The land has frequently been exploited as a means of patronage to garner support for the ruling party, ZANU PF, through coercive land acquisitions, violent evictions, and resettlement policies, with a significant portion benefiting elite politicians (Boone & Kriger Norma, 2010). Leading up to the 2008 elections, ZANU PF instilled fear among newly established landowners that opposition victory could lead to their displacement, prompting many to engage in electoral violence, similar to events in Côte d'Ivoire and Kenya (Boone & Kriger Norma, 2010). Academics argue that these economic incentives can elevate the stakes of electoral contests beyond what political candidates and voters can afford to lose (Boone, 2010). While PR systems can dilute these high stakes by dispersing political influence networks, the winner-takes-all approach in majority rule systems intensifies them.

This suggests that the combination of majority rule institutions and concentrated wealth in Africa's agrarian states, with land serving as a primary asset for those in power, heightens the likelihood of post-election chaos and turmoil. Klaus, Kathleen, and Mathew I. Mitchell (2015) argue that as land ownership becomes increasingly unequal, elite resistance to democracy grows and that concentrated wealth distribution raises the stakes if it is perceived to represent the voting populace's choice. Moreover, there is a significant

overlap between political and economic classes, and a limited accumulation of wealth substantially increases the costs of political failure in majority rule systems that favor decisive outcomes and disproportionately reward the eventual winner. Conversely, in majority rule regimes with more equitable income distribution, political struggles are expected to be less about zero-sum outcomes. Thus, the impact of majority-rule electoral systems on electoral violence will likely escalate as land inequality and deprivation increase (Van de Walle, 2003).

Election management bodies (EMBs) are vital in organizing and overseeing elections, determining how votes translate into political representation, and identifying which political leader, party, or coalition will lead in a presidential system in the upcoming years (Olanigi, 2017). Consequently, EMBs are expected to function impartially and independently from any electoral stakeholder. Independent election observers have reported on contentious election outcomes leading to significant post-election violence, such as Kenya's highly disputed presidential elections (2007, 2013, 2017, and 2022). Despite the frequency of elections fostering optimism for multiparty politics in Africa, EMBs face numerous challenges in organizing and executing elections since elections are fundamentally about power and who will wield it (Adolfo, 2013).

Although many EMBs in African countries have been granted independence upon their establishment, experience has shown that this independence can be compromised by various external interests over time (Olaniyi, 2017). Intimidation of EMB officials has

been reported in many elections across Africa, often by security forces, party members, and high-ranking government officials. For example, the constitutions of Eastern African countries mandate that every electoral administration body operates separately from the executive and legislative branches (Makuli, 2016). Even where the electoral management process is intricate and well-regulated, opportunities for manipulation persist, partly due to the executive's role in appointing EMB officials (Musau, 2016). Nevertheless, legal independence does not guarantee practical independence.

In Rwanda, the president issues an executive order appointing the seven electoral council members, raising questions about the selection process and undermining the EMB's perceived independence and impartiality (Makulilo, 2016). The challenge in Africa often lies in developing a system free from manipulation while ensuring it functions in a manner that instils public trust in electoral fairness, democracy, and constitutional governance (Fomba, 2016). The legal framework guiding elections managed by EMB officials significantly influences the integrity and acceptance of electoral outcomes.

The ability of EMBs to manage their budgets independently is equally important for effective election management. If funding for an EMB is restricted or conditional, it can severely compromise the electoral process's integrity (Dunne, 2012). While an EMB must maintain the same financial integrity standards as other public institutions, timely access to sufficient resources must be protected from political interference. There should be two separate budgets for the EMB: 1. An operational budget for specific election events. 2. A budget for institutional funding and maintenance, which includes infrastructure, operating

costs of capital assets, and salaries of permanent staff, aligned with customary budgeting processes (Dunne, 2012).

Moreover, building democracy necessitates instilling democratic values rooted in a strong civic culture (African Governance Report III, 2013). While the EMB is primarily responsible for voter education, often supported by civil society organizations (CSOs), their efforts are frequently limited due to inadequate funding. For instance, the election commission in Malawi has acknowledged its reliance on CSOs and its lack of funding (Agri III Malawi Country Report, 2012). CSOs favor urban areas where resources and transportation are better, yet rural regions with lower literacy rates have a greater demand for voter education (International IDEA, 2006).

Despite these challenges, a few EMBs have successfully conducted elections recognized by the international community as free, fair, and peaceful. For example, Botswana and South Africa are among the few African nations that have maintained liberal multiparty democracies since their independence in 1996 and 1944, respectively (The Economist, 2004). It is widely acknowledged that EMBs are essential institutions for sustaining Africa's commitment to democratic and constitutional governance. Consequently, there is a general agreement among stakeholders on the importance of effective EMBs in achieving electoral justice and resolving potential conflicts that may arise during the electoral process (FOMBAD, 2010).

EMBs must navigate the challenges associated with partial democracies and structural issues within electoral governance to function effectively (Freedom, 2015). Electoral violence is more likely when the electoral process lacks integrity, and there is a perceived significant deviation from the established rules, as evidenced by the political crises in Kenya (2007, 2013, 2017, 2022), Zimbabwe (2008, 2013, 2018), and Zambia (2016) (Maendeleo Policy Forum, 2015). Credible and legitimate electoral processes managed by competent EMBs are essential to maintain political stability and trust in constitutional governance, especially as elections become increasingly competitive and prone to violence amid perceptions of fraud (Birch & Muchlinski, 2018).

Finally, to improve the situation, we recommend that EMBs collaborate with various institutions and stakeholders in managing elections, including political parties, civil society organizations, and state agencies such as ministries and the police. This collaboration aims to mitigate vested interests and prevent abuses in electoral administration.

Establishing a framework for cooperative and objective relationships can help resolve disputes that arise during the electoral process and enhance the quality of electoral administration, ultimately contributing to the consolidation of democracy in Africa.

2.1.3 Overview of the Electoral Management System in Kenya

Political mobilization and Kenya's electoral management system are interrelated within this context. Norris (2015) argues that an effective electoral system is crucial in a democratic framework based on popular sovereignty to ensure both representation and governance. It is evident from both theory and practice that various vote-counting methods lead to different outcomes, and these methods are not without flaws or political bias

(Norris, 2015). Therefore, it is necessary to find a balance between the demands of representation within the legislative assembly during seat allocation.

Experts often highlight the origins and characteristics of political conflict (cleavage structures) in a system and propose electoral procedures and guidelines to mitigate this conflict and foster a nascent democracy (Wanyande, 1988). Some scholars (Norris, 2015; Reynolds and Sisk, 1998) suggest that electoral systems should strive for equitable and fair representation that mirrors the social composition of society, thereby enhancing government legitimacy, accountability to constituents, inclusivity, and accessibility—all of which bolster support for democratic processes, including among minority groups. Consequently, this can help reduce feelings of alienation among constituents. Scholars Taylor, Charles, John, Pevehouse, and Scott Straus (2017) identify three key components of an electoral system that can help achieve these objectives: ballot structure, constituency magnitude, and seat allocation methods in the legislature. These elements are the defining traits of different electoral systems. However, the choices available are not binary; they represent a spectrum of variable formulas tailored to specific policy objectives. Gallangez and Mitchell (2018) note that population size, geographic distribution, ethnic or racial diversity, and socioeconomic profile are four factors that influence and shape the electoral formula.

The three primary electoral formulas that translate votes into legislative seats are the single-member constituency plurality (majoritarian system), proportional representation, and variations of these two categories. This section investigates alternative decision rules to identify the most suitable for Kenyan voting behavior, considering that the 2010 Kenyan constitution allows for a first-past-the-post (FPTP) voting mechanism for a majority rule

system for members of parliament (including the Senate, lower chambers, and women MPs) and a two-round majoritarian system (50+1) for presidential elections.

According to Biau and Biau (2008), Kenya is a democratic nation where presidential and general elections are held every five years. Elections are conducted within a multi-party democracy framework and a presidential system (Collier et al., 2010). Consequently, the Independent Electoral and Boundaries Commission (IEBC) oversees presidential, Senate, and National Assembly elections.

The current constitution, enacted in 2010 (Gutierrez-Romero, 2013), establishes a simplified two-round presidential election system. To win in the first round, a presidential candidate must secure at least 25% of the votes in at least 24 of the 47 counties and over 50% of the total votes (Collier et al., 2010). Members of the National Assembly, female legislators, and Senators are elected through a First-Past-the-Post system. Despite the existence of mechanisms designed to ensure free, fair, and transparent elections, political leaders have been known to engage in electoral malpractice to manipulate outcomes in favor of themselves or their supporters (KHRC, 2011).

The principles governing Kenya's electoral administration system are clearly articulated in Article 81 of the 2010 Constitution. These principles include the acknowledgement of citizens' political rights as outlined in Article 38, adherence to the two-thirds gender principle, fair representation of persons with disabilities, universal suffrage based on the aspiration for equitable representation and equality of the vote, and the stipulation of free and fair elections as detailed in Sub-Article (e). The County Governments Act Number 17 of 2012, the Elections Act Number 24 of 2011, and the Constitution outline the procedures for implementing these agreed-upon principles.

With a minor exception for the presidential position, the primary electoral method established by the Constitution is the First-Past-the-Post (FPTP) system. Special interest seats in the Senate, National Assembly, and County Assembly are subject to proportional representation (PR) through party lists. In all other instances, FPTP is the only voting system used for filling seats in the Senate (47), National Assembly (290 from each Constituency and 47 County Women Members to the National Assembly), and County Assembly from each of the Wards.

To win the presidential election, a candidate must obtain at least 25% of the votes in more than half of the 47 counties and a majority of the total votes (Every Important Date in the 2020 presidential election, 2020; The Government of Kenya, n. d.) The winner must also secure a minimum of 50% + 1 vote (Petition 12, 11 & 13 of 2021, n.d.) The current electoral system underwent extensive negotiations during the drafting of the Constitution, but contemporary debates in the country indicate that this discussion is still ongoing. Kenya's democracy remains a work in progress.

Kenyans can renegotiate their voting system and select a viable alternative that aligns with their political objectives. A new voting system should incorporate features that conform to best practices, such as fairness, functionality, simplicity, and the capacity to address issues related to minorities, gender, and racial and ethnic groups. The system's failure after the 2007 general election sparked violence, highlighting an internal post-election conflict that necessitated external intervention.

Kenya primarily employs the First-Past-the-Post electoral system. This electoral system, inherited from the colonial administration, requires voters to mark the name of their preferred candidate on the ballot. It is often cited as a significant factor in the intense

contestation of Kenyan elections, leading to personality-driven and ethnically charged campaigns that undermine the nation's social cohesion.

First-Past-the-Post is among the most widely used voting methods globally. It is employed in 114 sovereign states and semi-autonomous territories that conduct direct parliamentary elections, accounting for 54% of the total. The remaining 22 states (10%) utilize semi-proportional representation systems, almost all employing parallel systems, while another 75 states (35%) use proportional representation-type systems.

In Kenya, general elections occur every five years, coinciding with the expiration of the terms of the President, Members of Parliament, County Governors, and Members of the County Assembly. However, if no presidential candidate secures more than 50% of the national vote and at least 25% in more than half of the counties, a presidential runoff may be required 30 days after the general election. Only the top two candidates with the highest and second-highest votes are eligible to participate in the presidential re-election.

Kenya's Electoral Management Body (EMB) has evolved over time due to various electoral reforms. The Electoral Commission was the first EMB established after independence, created under Section 48 of the then-current 1963 Constitution. Its responsibilities included overseeing elections and delineating constituency boundaries, but the return to multi-party politics in 1991 necessitated the establishment of an independent EMB. Consequently, the Constitution of Kenya Amendment Act, 1991, established the Electoral Commission of Kenya (ECK).

In response to the post-election violence of 2007 and 2008, the Independent Review Commission (IREC) was appointed to investigate the general election held on December

27, 2007. The commission concluded that the ECK's institutional legitimacy and public confidence in its commissioners and staff had suffered severe and irreparable damage. It recommended either the creation of a new EMB with a streamlined policy-making and oversight board selected through an open and transparent process or a radical overhaul of the ECK.

The new EMB was to have a well-structured and qualified secretariat. Following this, the Constitution of Kenya (Amendment) Act, No. 10 of 2008, abolished the ECK and established the Interim Independent Electoral Commission (IIEC) for two years before the constitutional review process was completed. The IIEC had fewer commissioners than its predecessor and appointed its commissioners through a competitive process designed to enhance public trust.

The amendment also established the Interim Independent Boundaries Review Commission (IIBRC), tasked with updating electoral boundaries. Adopting the 2010 Constitution revitalized electoral reforms, designating the Commission as the EMB under the new Constitution. Article 88 of the Constitution outlines the Commission's responsibilities, including planning and conducting referendums and elections for any elective body or office created by the Constitution and any other elections mandated by laws passed by Kenya's parliament. The Independent Electoral and Boundaries Commission Act No. 9 of 2011 (IEBC Act) was enacted (Petition 12, 11 & 13 of 2021, n. d.)

The IEBC operates as an autonomous state body, similar to other constitutional commissions, and is not subject to external control or direction. Section 25(2) of the IEBC Act mandates that each member and employee of the Commission perform their duties and exercise their powers independently and without influence from any state officer, public

officer, government entity, political party, candidate, or any other individual or organization, thereby reinforcing its institutional independence.

2.1.4 Knowledge gap of the Electoral Management System and its influence on post-election Violence

The Electoral Management System (EMS) and its impact on post-election violence represent a significant area of concern and an ongoing knowledge gap within the study of electoral systems. The EMS system is responsible for overseeing election management, and it involves multiple stages, including the planning, organization, and supervision of the electoral process. This includes essential functions like voter registration, the delimitation of electoral boundaries, the validation of election outcomes, and voter education efforts. Electoral systems, which determine the rules and procedures that guide the election process and define the ways in which outcomes are decided, come in various forms. These include but are not limited to Plurality Voting, Proportional Representation, Mixed Systems, Ranked-Choices Voting, Approval Voting, and Single Transferable Vote. These systems are crucial as they significantly shape the democratic processes in different nations. Countries adopt diverse electoral systems that align with their specific contexts, needs, and values. While nations such as Norway, Finland, Iceland, Luxembourg, New Zealand, and Uruguay are recognized for having strong electoral systems, it is important to acknowledge that no electoral system is flawless. Different electoral systems suit different countries depending on their requirements and political landscapes. Therefore, building awareness and understanding of the EMS and the broader study of electoral systems is critical for addressing the knowledge gaps that may contribute to post-election violence. In conclusion, both electoral systems and the management of elections are

fundamental in shaping democratic governance, and the best electoral system is one that reflects the unique needs and values of a given country.

Understanding the Electoral Management System also uncovers a significant gap in knowledge regarding the complexities and effectiveness of such systems within a country. The term "electoral management system" refers to the processes, institutions, and mechanisms responsible for organizing and administering elections. To thoroughly analyze this gap in understanding, it is essential to investigate various aspects of the EMS. One primary area of focus is the legal framework that governs elections in countries like Kenya. This framework includes the constitution, electoral laws, and regulations that clearly define the roles and responsibilities of electoral bodies, political parties, candidates, and voters. Understanding the legal framework is crucial to determining whether it upholds transparency, fairness, and inclusivity principles within the electoral process (Gallangez & Mitchell, 2018).

Another critical aspect to examine is the institutional setup within the electoral management system. This involves evaluating the composition, structure, and operations of institutions such as the Independent Electoral and Boundaries Commission (IEBC) and other relevant agencies that oversee elections (Kenya Christian professionals laud politicians for maturity and calmness,2020). Analyzing their independence, capacity, and accountability is key to understanding their role in ensuring elections are free, fair, and transparent (Norris, 2015). Additionally, it is necessary to explore the operational procedures and practices of the EMS. These include the processes of voter registration, candidate nomination, ballot design, vote counting, and the mechanisms for transmitting election results. A detailed examination of these procedures helps to identify vulnerabilities or irregularities that could undermine the integrity of the election process

and lead to instances of post-election violence. The role of technology in the electoral management system is another area that demands close scrutiny. The introduction of electronic voting machines, biometric voter registration systems, or electronic results transmission systems can significantly influence the credibility and efficiency of the electoral process. Investigating such technologies' adoption, implementation, and effects offers insights into their capacity to reduce electoral disputes and post-election violence (KHRC, 2011).

Moreover, it is equally important to understand the role of civil society organizations, the media, and international observers within the context of the electoral management system. These groups play pivotal roles in monitoring elections, advocating for transparency, and ensuring accountability throughout the election process. Assessing their involvement and the influence they exert can provide a clearer picture of the overall health and legitimacy of the electoral system. Furthermore, examining the historical patterns and context of post-election violence in Kenya is vital for understanding how EMS and election-related violence are intertwined. Analyzing past instances of post-election violence and their underlying causes helps to identify triggers and risk factors that may be linked to the weaknesses of the electoral management system. This information is crucial for developing strategies to prevent and mitigate post-election violence in future elections. Addressing the knowledge gap in the EMS requires multidisciplinary research encompassing political science, law, public administration, and sociology (KHRC, 2011).

By bridging this knowledge gap, policymakers, electoral bodies, civil society organizations, and other relevant stakeholders will be better positioned to make informed decisions and implement essential reforms to improve the electoral management system in

Kenya. In the long run, this would promote peaceful, transparent, and inclusive democratic processes that reflect people's will while reducing the likelihood of post-election violence.

2.2 General Overview of Causes and Consequences of Post-Election Violence

Post-election violence (PEV) is any conflict that erupts following an electoral process (Birch, 2020). While the underlying causes and repercussions of PEV differ across various settings, certain patterns frequently emerge that shed light on why such violence occurs and its impact on individuals and society as a whole. One primary driver of post-election violence is intense political rivalry, particularly when parties or political groups are highly polarized. When political entities view elections as a winner-takes-all contest, allowing only one faction to succeed while excluding all others, this can create heightened tension and desperation, potentially leading to violence. Additional contributing factors often include disparities in social and economic conditions, ethnic or religious conflicts, and a lack of robust dispute-resolution mechanisms. These challenges are frequently intensified by issues within the electoral system, especially when elections are compromised by irregularities, partiality, or perceived injustice (Bekoe, 2012).

The ramifications of post-election violence are profound and enduring, affecting both individual lives and the larger societal framework. Beyond the immediate toll on human life—manifested in casualties, injuries, and forced displacement—PEV can disrupt long-term social and economic progress, destabilize political systems, and undermine the integrity of democratic governance (UNDP, 2009). A significant consequence of PEV is the deterioration of public trust and confidence in democratic institutions. When citizens perceive the electoral process as unjust or feel their voices are disregarded, civic engagement and political participation tend to wane, weakening the democratic fabric of society.

2.2.1 Global Overview of the Causes and Consequences of post-election violence

Most nations in the modern world hold elections, with only a few exceptions, such as Brunei, China, Eritrea, Qatar, Saudi Arabia, and South Sudan (Sydney, 2000; Mansfield, Sydney, 2005). Elections outside of well-established democracies are often accompanied by considerable violence, not just on election day but throughout the campaign and its aftermath, even though their purpose is to facilitate a peaceful transfer of power (Brancati & Sydney, 2013; Sydney, Gleditsch, and Hug, 2012; Chacon in Robinson and Torvik, 2011; Cheibub and Hoyes, 2017; Flores and Nooruddin, 2012, 2016; Matanok, 2017). The violence associated with elections can have devastating effects, including the weakening of democratic institutions, the disruption of peace-building efforts, and the development of nations. In extreme cases, it can even lead to the outbreak of civil war (Davenport, 1997; Gold Smith, 2015; Harish and Little, 2017). Recent elections in countries such as Afghanistan, Bangladesh, Pakistan, Sri Lanka, Haiti, India, and Iraq were marred by intense political violence and conflict, replacing individual voter choice with group-based political cohesion and deterring electoral participation (Christensen & Utas, 2008; Ron, 2001).

Electoral violence is a strategic tool employed by political stakeholders to exert control over the electoral process and shape its outcomes by orchestrating targeted assaults on individuals, properties, and key infrastructure (Bekoe, 2012; Harish & Toha, 2019; Hoglund, 2009). Such violence can emerge at any stage of the political cycle, whether during the initial announcement of elections, in party primary contests, or throughout voter registration activities (Soderberg, Kovacs, & Mimmi, 2018). Both governmental and non-governmental actors may be implicated in executing or inciting this violence (Taylor, Pave House & Straus, 2017; Stani, 2014).

The impact of electoral violence is profound, frequently leading to significant casualties, economic losses, and, in some cases, escalating to full-scale civil conflict (Christensen & Utas, 2008; Ron, 2001). Analysis of global electoral data reveals that many elections worldwide experience some form of violence. Data from the Conflict-Related Election Violence (CREV) database indicate that violent episodes occur in over 78% of elections in at-risk nations (Birch & Muchlinski, 2017). The Electoral Contention and Violence (ECAV) database, though focused on fewer cases of political violence, still reports that more than half of elections feature over three instances of violence, with deadly events occurring in approximately 30% of cases (Daxecker, Amicazelli, & Jung, 2019).

Countries such as Sri Lanka and Haiti are illustrative of post-election violence cases (Brancati & Snyder, 2013). In Sri Lanka, recent elections have notably been marred by violence, particularly in 2015 when the incumbent administration wielded violence against opposition parties. President Rajapaksa, a long-standing political leader, ran for re-election amid accusations of inciting religious divisions.

While there were concerns of widespread violence, including fatalities tied to the election, the anticipated large-scale escalation did not fully materialize (Holmquist & Githinji, 2009). The Centre for Monitoring Election Violence (CMEV) in Sri Lanka, established in 1997 under the leadership of the Centre for Policy Alternatives (CPA), plays a critical role in mitigating election violence. CMEV monitors and documents violent incidents during campaigns trains observers to report them and shares its findings with the public via its website (Heger, 2015). Over time, the incidence of election-related violence in Sri Lanka has declined, signaling some success for CMEV's initiatives. Nevertheless, challenges persist, including a lack of coordinated efforts among organizations monitoring electoral violence. While informal cooperation exists, a more structured approach would likely

enhance the overall efficacy of these preventive programs (Gutierrez-Romero & LeBas, 2016).

Haiti, too, exemplifies a country plagued by election-related violence (Forrest, 2020). During the 2015 elections, which marked the first election in four years, polling stations in Port-au-Prince were attacked, and about 50 out of 1,500 voting centers across the country were affected by a combination of violence and bureaucratic issues (. Haiti's first election in four years marred by sporadic violence, n. d.) These elections tested the capabilities of Haiti's National Police (Military Coup, n. d.)), which had taken over security responsibilities from the downsized U.N. peacekeeping force (Fjelde & Hoglund, 2016). There were reports of election-related assassinations, and several voting centers were forced to suspend operations due to disruptions (Fatke, 2015).

Election violence in Haiti has been a longstanding issue, frequently used as a tool to establish dominance in the country's political landscape. Political institutions in Haiti are weak, which leads to power-seekers resorting to violence. The country's judicial system is also under-resourced and ineffective in addressing election-related crimes, and there is little movement toward establishing mechanisms for resolving electoral disputes. Violence occurs both in public and private spaces, including online and in the media, and it affects all socio-economic strata. However, the experiences of violence against women during elections are particularly distinct due to Haiti's deep wealth gap (Chiba, 2022).

The United Nations Development Programme (UNDP) (2009) defines electoral violence as acts or threats of coercion, intimidation, or physical harm intended to influence the electoral process (Birch & Muchlinski,2019). This violence may be used to delay, disrupt,

or derail elections (Agbehonou,2016) or to affect the determination of winners in political contests (An assessment of climate change practices of crop farmers, n. d.). Similarly, Fischer (2002) describes electoral conflict as any act or threat (Gender equality and electoral violence in Africa, 2019) designed to intimidate or harm a political stakeholder to influence the election outcome (Joshua,2013). This violence often arises when elections are viewed as "zero-sum" contests, where the losers are excluded from governance and armed clashes between political parties ensue (Turner, 2017).

Free, fair, and credible elections are essential to democracy, political stability, and national development (Straus & Taylor, 2012). Political analysts and development experts argue that such elections create the foundation for democratic governance, ensuring responsible and legitimate leadership that can implement well-defined development programs. Free, fair, and credible elections empower citizens to hold governments accountable and demand viable development plans from their leaders (Saari, 2001).

Post-election violence typically occurs after the collation and announcement of results, resulting in violent protests, attacks on rival candidates, and destruction of property (UNDP, 2009). The period immediately following voting is particularly prone to violence, with incidents such as shootings, arson, and killings perpetrated by officials or supporters of political parties (Sisk, 2008; Turner, 2017; Asamoah,2019).

As defined by UNDP (2009), development encompasses political, economic, and social dimensions. It involves changes in societal structures, attitudes, and institutions and efforts to accelerate economic growth, reduce inequality, and eradicate poverty (Joshua,2013). Development requires a stable political environment, as instability hampers progress. Moreover, development also includes the promotion of peace and security, ensuring that

people can live productive and fulfilling lives in an environment of stability and democratic governance (Dagne, 2008).

The roots of election-related violence, particularly in countries like Kenya, are deeply intertwined with historical and political conflicts, including ethnic divisions and competition. Maintaining ethnic nationalism is viewed as a prerequisite for the survival of the state and the sustainability of democracy and development (Ajulu, 2002; Lechery, 2008; Holmquist, 2009; Yego, 2015)

2.2.2 Regional Overview of the Causes and Consequences of Post-Election Violence.

In the African context, electoral violence has become widespread (Birch, 2011, 2020; Van Harm & Lindbergh, 2015; Mares & Young, 2016). It is rare for an election in Africa to occur without significant incidents of violence, which often have severe repercussions. Scholars such as Christensen and Utas (2008), Ron (2001), and Kanyinga (2010) argue that election-related conflicts threaten the stability of nation-states. Even in cases where countries remain unified, election-related tensions leave lasting scars, reflecting ongoing societal unrest, as seen in Malawi, Côte d'Ivoire, Ethiopia, Nigeria, Uganda, Tanzania, Burundi, Democratic Republic of Congo, Zanzibar, Mozambique, Kenya, Sierra Leone, and Zimbabwe in recent years (Straus & Taylor, 2012).

Malawi's elections have a history of political violence, similar to other nations in this analysis. Political parties in Malawi are typically anchored in ethnic and regional bases. Moreover, institutional weaknesses within the Malawi Electoral Commission (MEC) have resulted in delays in voting and counting (Freytas-Tamura, 2017). Despite this, Malawi does not share Kenya's complex history of land disputes among its major ethnic groups. Additionally, the incumbent president, Banda, lacked deeply rooted political control in

2014, having only recently assumed office after her predecessor's death. Nevertheless, the election period was marked by tension, with limited violence during the campaign and controversy over MEC's vote-counting procedures, which led to several fatalities and property damage (Daxecker, 2012).

Colomer (2016) notes that one of the main sources of electoral violence in Malawi stems from the historical use of youth wings by politicians as enforcers, a practice originating from groups like the Malawi Young Pioneers and Young Democrats. Although the influence of national youth wings has waned, it remains common for politicians to mobilize groups of young men during campaigns, some of whom engage in both legal and illegal activities. In 2014, reports of clashes between political party supporters were widespread, leading to several criminal investigations and convictions (European Union, 2014).

One of the most significant incidents occurred on March 16 at a rally for President Banda in a stronghold of Peter Mutharika. The clashes between rival supporters and the police resulted in the deaths of a civilian and a police officer. Additional protests erupted following the electoral commission's declaration of the winner, with violence breaking out. On May 30, post-election protests by candidates demanding a recount of the ballots led to the death of another civilian and injuries to multiple police officers (European Union, 2014).

In the lead-up to the 2014 election, several anti-violence initiatives were implemented in Malawi, spearheaded by both civil society and government agencies (E- Canvassing SLPP, n. d.) The three primary violence prevention efforts included programs by the Public Affairs Committee (PAC), Multiparty Liaison Committees (MPLCs), and various civic education initiatives (NDLEA Trains Entertainment Practitioners on Drug

Prevention,2023). The advantages and limitations of these interventions show similarities with Kenya's experience. However, there are important differences, particularly Malawi's success in involving political candidates in peacebuilding efforts, which provides valuable lessons for other contexts (Chege, 2018).

While Kenya's anti-violence programs often sidelined politicians, Malawi made concerted efforts to include national and local candidates in peace campaigns and mediation efforts (European Union, 2014). The PAC, one of Malawi's oldest civil society organizations, has advocated democracy and peace. As an interfaith organization that brings together Christian churches and Muslim mosques, PAC played a key role in the 2014 peace initiatives. With financial support from the UNDP and the European Union, PAC organized a highly publicized event where all 12 presidential candidates signed the Lilongwe Peace Declaration, a peace agreement committing to peaceful campaigns and accepting the election results.

In addition to the Peace Declaration, PAC trained a group of mediators, primarily clergy members, in conflict resolution. These mediators could step in if major political disputes required third-party intervention. To ensure gender representation, PAC initiated the Women in Faith Peace Initiative, which trained Christian and Muslim women in mediation. The aim was to ensure that any six-member mediation team included at least two women (European Union, 2014).

In contrast, Sierra Leone has also faced electoral violence, though not on the same scale as Kenya. Since the end of its civil war, political campaigns have been marked by sporadic violence, including clashes between party supporters and mysterious killings of party members. The police have often responded to public demonstrations with force. The 2018 election did not feature an incumbent, although Samura Kamara of the APC was seen as

closely allied with President Koroma. Kamara likely benefited from Koroma's extensive patronage networks. Sierra Leone's high unemployment rate, especially among young men, has contributed to the country's vulnerability to electoral violence, as many former combatants from the civil war have been recruited into political party security forces (Rasmussen, 2018). Kono District, a diamond-rich yet impoverished region in Sierra Leone, has been a focal point of political violence. Despite its wealth in natural resources, Kono remains economically deprived and politically contested, as it does not align strongly with any political party (Birch & Muchlinski, 2017).

Sierra Leone's efforts to prevent election violence in 2018 were spearheaded by the National Early Warning System (NEWS), a program designed to monitor and report incidents of violence. The program mapped potential hotspots based on previous elections and field research, and it trained 60 observers to monitor violent events. These observers, equipped with phones and tablets, reported incidents to regional directors, who verified the information before uploading it to the National Peace Monitoring Center. This database allowed the rapid creation of maps and charts to assist stakeholders in addressing violent events (Birch & Muchlinski, 2019). The NGO Action Aid also contributed to preventing violence by training youth participants from ten districts identified as hotspots through the NEWS mapping exercise. The training aimed to educate the youth on civic engagement and electoral laws, emphasizing policy evaluation over ethnic or regional considerations (Ashindorbe, 2018).

2.2.3 Overview of Causes and Consequences of Post-Election Violence in Kenya

In the early 20th century, British officials used divide-and-rule strategies and carefully formed alliances at the local level, allowing them to dominate the diverse and decentralized communities within what was eventually named Kenya (Berman, 1990; Berman &

Lonsdale, 1992). The provincial administration initially represented the concentrated powers of the governor but later symbolized presidential authority in the post-colonial era. This structure made electoral politics highly competitive, as the presidency, with its control over provincial administration and the electoral landscape, became a prime target for ambitious politicians. The president's centralized authority, exercised through the provincial administration, played a key role in creating an "electoral dictatorship" where semi-competitive elections were held but strictly controlled by the state, especially the president's office (Nyinguro,1999). During the colonial period, political parties, often ethnic in nature, emerged as national organizing was prohibited. Once the ban was lifted, these parties naturally continued to reflect ethnic loyalties (Okoth-Ogendo, 1972).

The repeal of Section 2(a) of the constitution in 1991, which reintroduced multipartyism, was seen by KANU loyalists as a threat to their vested interests. The 1992 and 1997 elections saw significant violence, particularly perpetrated by KANU-supporting Kalenjin and Maasai against opposition groups, displacing approximately 300,000 people by 1993 (HRW, June 1997). Except for the 2002 elections, violence has plagued every election in Kenya since independence in 1963 (Haugerud, 1997). The shift to multiparty democracy in the 1990s heightened electoral competition and exacerbated election-related violence, with some of the worst instances occurring in 1992 and 2002 (Horowitz, 1993). Kenya's political system intertwines electoral, party, and mobilization strategies, often relying on ethnic lines. Norris (2015) notes that designing an effective electoral system is crucial in a democracy, where representation and governance are key. How votes are counted can affect who wins, and in Kenya, ethnic affiliations are often instrumental in political mobilization (Oyugi, Posner, 2007; Scarrit & McMillan, 2001). Ethnic exclusion tends to create grievances and drive political mobilization (Saiderman, Lanone, Capenni & Stanton, 2002). When large ethno-political groups are excluded from power, majority-rule

systems are more likely to lead to violence, as excluded politicians have fewer incentives to play by the rules (Horowitz, 2000; Posner, 007).

Opposition leaders often pose electoral threats to incumbents, who may resort to violence, repression, or election rigging to maintain power. Scholars have argued that excluding large ethno-political groups in majority-rule systems increases the likelihood of electoral violence (Omollo, 2002). This is particularly true in countries like Kenya, where political power is closely tied to control over economic resources, such as government institutions, public funds, and state property, in contexts where private economic opportunities are scarce (Boone, 2010). Southhall (2014) points out that Kenya's parliamentary system fostered a political culture centered on "big men" whose electoral success depended on their ability to distribute patronage during campaigns and after securing office (Bekoe,2012, Adhiambo,2017 & Mozaffar et al.,2003)

The 2007 general elections represent one of the most intense episodes of electoral violence in Kenya's political history. Following the contested presidential results, violent conflicts broke out nationwide, with Nairobi, Mombasa, Nakuru, Naivasha, Kiambu, and Thika facing particularly severe impacts (Chege, 2008; Yego, 2015; Githigaro, 2012 & Electoral Institutions and Electoral Violence in Sub-Saharan Africa. n. d.). Widespread destruction occurred, marked by business lootings, church burnings, and the forced displacement of thousands from their homes, farms, and workplaces (Mutugi, 2016). Although electoral violence in Kenya is not unprecedented, it has traditionally been localized and has lasted a shorter duration, usually around polling stations or nearby communities (Mutahi, 2005). However, 1992/93, 2007, and 2017 electoral violence saw a broader geographic spread, impacting Nairobi, Kiambu, Mombasa, the Rift Valley, Nyanza, and Western Kenya. These violent incidents led to extensive loss of life, property damage, and lingering effects

on Kenya's peace, stability, and development (Mueller, 2011; Kimani & Njuguna, 2014). This section examines the roots and impacts of electoral and post-election violence in Kenya (Otieno., Ochieng., Matanga, & Iteyo, C.,2023).

Scholars often trace the origins of electoral violence in Kenya to ethnic rivalry over power. Anderson (2012) and Mungai (1995) describe ethnicity as a shared cultural and linguistic identity used to mobilize political support and compete over limited resources. Dercon, Guitierrez-Romero (2012), and Holmquist (2009) contend that post-election violence arises from the polarization of ethnic groups, a divide initially fostered by colonial powers and persisting within Kenya's multi-ethnic democracy. Ajulu (2002) argues that ethnicity is now a core aspect of Kenya's political competition and party structure. Moreover, ethnicity has often shaped Kenya's party landscape, where ethnic-based rivalry primarily drives electoral contests (Ajulu, 2002). The normalization of political violence in Kenya is such that it often goes unpunished, with no expectation of legal accountability.

Much of the literature highlights colonial-era divide-and-rule tactics as a significant contributor to Kenya's history of electoral violence. British authorities, for instance, employed ethnic profiling and encouraged divisions, enabling their control over urban and rural regions alike (Hornsby et al., 1992). Since the inception of limited elections in the late 1950s, Kenya has experienced electoral violence, with this trend only worsening post-independence in the 1960s (Holmquist et al., 2009).

Since achieving independence in 1963, Kenyan elections have consistently been marred by varying degrees of violence (Ghai, Yash P et al., 1970; Jenkins, 2015). Apollos (2001) noted the politicization of ethnic identities in Kenya, where political leaders and elites exploit ethnic identities and perceived inequalities to secure political support (Adar, 1998). Politicians often align themselves with their own ethnic groups, reinforcing ethnic identity

politics that frequently escalate into violence. This ethnic-based approach to politics heightens inter-ethnic tension. According to pluralist theory, conflict is an inherent characteristic of diverse societies (Cohen, 1996), and in Kenya, this competition among various groups is most apparent in the political arena.

However, electoral conflict in developing democracies like Kenya is particularly complex due to entrenched ethnic and social divides that permeate nearly every facet of society (Adar, 1998). Ethnic pluralism further exacerbates majority-minority divides, fostering perceptions of unequal access to power. Lynch (2006) and Lonsdale (1994) emphasize the importance of ethnicity in political mobilization across Kenya's ethnically divided regions (Oyugi, 2003). Election violence has been intensified by the politicization of ethnic identities, creating "in-groups" who strive to maintain privilege and "out-groups" who protest perceived inequality (Stiftung, 2010; Barkan & Okumu, 1979).

Kenya's dominant ethnic groups—such as the Kamba, Kikuyu, Luhya, Luo Kisii and Kalenjin—have historically vied for political power, which is mainly concentrated within their respective regions, including the Rift Valley, Central, Eastern, Western, and Nyanza. This rivalry has frequently led to inter-ethnic clashes and post-election violence, destabilizing the country significantly (Chege, 2008). The 2007 and 2017 elections, in particular, highlight the severity of ethnic tensions in Kenya (Lynch, 2008). Another area of research links electoral violence to social divisions, with social and economic disparities fuelling conflict (Elischer, 2008).

Stark economic and political inequalities, with a considerable divide between wealthy and impoverished groups, characterize Kenyan society. These disparities foster grievances, particularly among economically marginalized groups, who may resort to violence during elections to voice their frustrations. Conversely, wealthy elites often manipulate ethnic

divisions to secure political support and protect their power (Hoglund, 2009; Jenkins, 2014). Since independence, economic stratification within ethnic groups has persisted, with successive governments distributing land predominantly to members of their ethnic groups. This practice has resulted in unequal land ownership, notably with the Kalenjin and Kikuyu communities holding most of the arable land (McWilliam, 2012).

Ethnic tension between the Kikuyu and Kalenjin, particularly over land in the Rift Valley, was a significant factor in the 2007 electoral violence (Kagwanja, 2009). Land disputes have long been at the core of political conflicts between these communities, as seen in the 1992, 1997, and 2007 post-election violence (Landau, 2009; Cheeseman, 2008). The 2007 violence deeply impacted Kenya's economy, widening social divisions and altering voting patterns among marginalized groups (Cheeseman, 2008).

Poverty, particularly in urban slums and ghettos, is closely linked to social cleavages and electoral violence. Politicians take advantage of widespread poverty, especially among the youth, offering minimal financial incentives to incite violence. Unemployment has made many young Kenyans vulnerable to exploitation during election periods (Guitierrez Romero, 2003). Political violence is often financed and used by powerful individuals to secure their political and economic interests, as exemplified by youth movements like YK92 (Holmquist et al., 2009).

Owili (2022) argued that electoral violence is more likely in political systems reliant on patronage and clientelism. In these systems, where informal relationships that exchange resources for political loyalty precede formal institutions, political supporters often engage in election violence to back their preferred candidates. Additionally, weak electoral management bodies, such as electoral commissions, exacerbate the issue by failing to

establish credible elections. Ongoing land or resource conflicts further fuel tensions, as unresolved grievances are often incorporated into political campaigns (Ratuva, 2016).

Alihodžić (2012) discovered that international election observation missions may reduce pre-election violence but paradoxically increase post-election violence if they reveal attempts at election fraud. Moreover, research increasingly shows that men and women experience election violence differently, but there are too few policy interventions that address these differences explicitly. Based on a literature review and interviews with practitioners from Kenya, Malawi, Sierra Leone, and Sri Lanka, the American Friends Service Committee (AFSC, 2018) found that electoral violence prevention initiatives tend to be more effective when implemented through strong coalitions or consortia (Blake et al., 1977). These coalitions enable civil society organizations and state agencies to avoid duplicating programs and benefit from shared lessons and information. They are also more impactful when political parties and candidates are actively involved, though the willingness of political elites to participate can be a limiting factor (Klaus & Mitchell, 2015).

The study also revealed that practitioners could adopt successful methods from other countries, with investments in securing elections in one country potentially benefiting others through transnational civil society networks (Heinzekehr & Gallagher, 2022). Access to violent incident mapping during campaigns was identified as a critical tool for civil society and state organizations, enabling them to allocate resources effectively to high-risk areas (Olewe, 2022). Additionally, integrating violence prevention efforts into a long-term peacebuilding strategy, rather than focusing on short-term crisis response, was deemed essential. Many election-related violence interventions begin 6-18 months before

elections, and end soon after polling, but sustainable prevention must address underlying causes (Kiplagat & Wasuna, 2022).

Mueller (2011) emphasized that political systems grounded in patronage are especially prone to election violence. In such systems, where informal exchanges of resources for political support supersede formal institutions, electoral management bodies lack the strength to conduct credible elections. Preexisting social conflicts, such as disputes over land, also elevate the risk of election violence. This is partly because politicians often adopt the grievances of conflicting groups to bolster their campaigns. International election observation missions may reduce pre-election violence, but post-election violence can increase if fraud attempts are exposed. There is a growing recognition of gender differences in how election violence is experienced, but policy interventions frequently fail to account for these disparities (Dercon & Gutiérrez-Romero, 2012).

To mitigate post-election violence, Mueller (2011) recommended that donors focus on program follow-up funding, long-term youth programs, and police reform. Practitioners across various countries highlighted the lack of donor funding for follow-up violence prevention initiatives after election cycles. They also noted that more resources were needed for long-term programs aimed at engaging youth, who are often involved in election violence, as well as women and girls, who are particularly vulnerable during violent elections. Furthermore, police training for managing protests and conflicts between rival party supporters was largely ineffective (Mancebo, 2019).

Numerous scholars posit that Kenya's political institutions have significantly influenced the recurrent episodes of electoral violence since the nation's independence in 1963. Mueller (2011) conceptualizes these institutions to encompass not only the election framework and party structures but also the complex web of alliances and executive

government authority. Various elements within these political institutions have exacerbated the challenge of achieving transparent and equitable elections. First, the enduring impact of Kenya's colonial authoritarian legacy has hindered efforts toward democratic reforms. Moreover, several key institutions, including political parties and electoral commissions, were founded amid crises and moulded by political elites to address immediate needs rather than grounded in formal, lawful frameworks (Wildner, 1992). For instance, previous leaders frequently established informal agreements with certain political factions, apportioning state resources selectively to maintain political backing instead of ensuring an inclusive and fair distribution of resources across the political landscape. These ad hoc agreements often collapse once power is secured, fostering distrust and discord among political factions. President Kibaki's failure to honour a memorandum of understanding (MOU) with Raila Odinga after the 2002 elections, for example, incited political tensions that escalated to the violent unrest of 2007 (Karume & Shumbana, 2003; Materu, 2014).

In the 1990s, President Daniel Arap Moi relied on tactics involving intimidation, orchestrated violence, and ethnic polarization to retain his hold on power, leveraging the support of his ethnic base along with allied minority groups to clinch electoral victories (Horowitz, 1993). Kenya's political structures enable leaders to exploit ethnic affiliations as leverage to consolidate power and access state resources. Such institutions wield considerable influence by embedding identities within systems that empower and restrict individuals, creating a framework that fosters competition and division along ethnic lines (Omolo, 2002; Mozaffar, 1995).

Furthermore, Kenya's political leadership has played a pivotal role in sustaining electoral violence. Cheeseman (2008) contends that Kenya might have averted substantial conflict

had its leaders refrained from manipulating electoral processes and obstructing reforms intended to decentralize power and diminish executive authority. Historically, these leaders have constructed coalitions favouring their ethnic affiliations, transforming electoral contests into regional battles rather than fostering national cohesion (Lynch, 2007). During election campaigns, politicians prioritize consolidating their ethnic support bases, often turning elections into contests for regional dominance at the expense of promoting a unified national vision (Lonsdale, 1994).

Kenya's electoral and policymaking institutions, which Holmquist (2009) describes as centralized instruments serving the interests of incumbent leaders, fail to facilitate democratic processes that are both free and fair. Often established for political expedience, these institutions represent temporary elite arrangements rather than enduring social contracts with the citizenry. The "winner-takes-all" model, or First-Past-the-Post electoral system, aggravates the stakes, particularly for opposition groups and the ruling elite, increasing the potential for conflict before and after elections (Mozaffar, 2003).

Kenya's political coalitions, frequently formed for strategic convenience, represent yet another source of volatility. Understanding Kenyan electoral politics necessitates examining the country's evolution from a single-party system to one dominated by multi-ethnic coalitions (Van De Walle, 2003; Von Borzyskowski, 2011). Anderson (2003, 2002) characterizes political coalitions as assemblies of parties with pooled resources and common objectives. Since independence, Kenyan politics has largely been defined by unstable coalitions along ethnic lines, such as the Kenyan African National Union (KANU) and the Kenya African Democratic Union (KADU), each representing distinct developmental visions (Anderson, 2005). When Daniel Arap Moi assumed the presidency in 1978, Kenya essentially became a one-party state, yet with the post-Cold War global

push toward political pluralism, Kenya reinstated multi-party politics in the early 1990s, amplifying competition and prompting coalitions based on ethnic affiliations (Wildner, 1992).

In Kenya's coalition politics, although dominated by one ethnic faction, other groups are typically included, but these coalitions remain fragile and subject to realignment or dissolution. These alliances often stem from the perceived necessity of securing governance structures or mandates. Yet, ideological divergences among coalition partners frequently lead to delays and friction, hindering the implementation of governmental agendas and ultimately contributing to national instability (Shilalalo, 2013).

The coalition's success in the 2002 multiparty elections in Kenya, which saw opposition parties unite to oust the long-ruling Kenya African National Union (KANU) party under President Moi, marked a pivotal moment in Kenyan politics (Oyugi, 2002). Oyugi (2002) attributes the formation of this coalition to certain elite factions seeking political ascendance and associated benefits. However, after assuming office, these elites reverted to ethnic-driven interests, sidelining allies from other ethnic groups. This internal rift later played a part in the violent aftermath of the 2007 elections (Oyugi, 2002). Mozaffar (2003) further posits that the multiethnic nature of Kenya's political fragmentation necessitates broad-based coalitions, which, while serving to prevent fragmentation, often force ethnically diverse factions into tense alliances.

Many Kenyans were disillusioned with opposition disunity before 2002, which allowed President Moi to retain power through minority ethnic support. This disillusionment led to the formation of the National Rainbow Coalition (NARC), uniting multiple ethnic groups such as the Kikuyu, Kalenjin, Luo, Luhya, and Kamba. This alliance not only won a

resounding victory in a peaceful election but also exemplified Horowitz's (1993) concept of multiethnic electoral coalitions.

Kenyan political parties have gradually incorporated broader ethnic representation, yet, as Elischer (2008) notes, they have consistently failed to resolve the country's entrenched ethnic rifts. In the 2007 general election, accusations of vote manipulation favouring President Kibaki, which disadvantaged the opposition candidate Raila Odinga, ignited violent uprisings in opposition strongholds like Nairobi's Kibera, Kisumu in Nyanza, and parts of the Rift Valley. This unrest, marked by ethnic conflict, resulted in over 1,000 fatalities and displaced more than 600,000 people, marking one of Kenya's gravest episodes of violence akin to ethnic cleansing (Lynch, 2008).

Academic analyses often identify election outcomes as pivotal in explaining the 2007 violence; however, ethnic divisions, media influence, and flawed electoral practices also played critical roles. Ndungu (2008) asserts that this violence was not merely a reaction to disputed election results but a manifestation of deeply rooted social issues that had long remained unaddressed.

While poorly conducted elections and socioeconomic disparities may have incited the 2007 violence, underlying causes seem rooted in Kenya's historical socio-political and economic frameworks. Prolonged hostilities between prominent ethnic groups, particularly the Kikuyu, Luo, and Kalenjin, often driven by competition over land and political power, underscore the persistence of ethnic tensions. Scholars suggest that ethnicity continues to be a formidable force shaping political dynamics in Kenya, as politicians frequently exploit ethnic loyalties as a strategy to garner support (Mapeu, 2007; Oyugi, 1997).

The role of ethnicity in Kenyan elections dates back to the 1992 polls, where ethnic cleavages prominently influenced the multiparty transition (Oyugi, 1997). In explaining the 2007 election violence, scholars often highlight the persistent ethnic rivalries that have fuelled Kenya's political scene, particularly during the shift from a single-party system to a multiparty democracy. Various groups mobilized with the aim of dethroning President Moi and his Kalenjin allies, sparking tensions that endure in Kenya's modern political landscape.

During this period, Kenya's political parties were largely defined by ethnic affiliations and geographic concentration in provincial areas. Amid the violence, groups vying for power committed widespread abuses, including violence against women and children, and perpetrated serious human rights violations. This era was marked by impunity, as the rule of law and respect for human rights seemed foreign to many citizens, who trampled on the rights of fellow Kenyans without consequence (Obonyo, 2008). According to Landau et al. (2009), political violence in Kenya has often been a struggle for control of the government.

The essence of governmental authority in political competition lies in providing access to resources and patronage, which ethnic elites leverage to maintain dominance (Kamungi, 2001). Attempts to rectify economic and political disparities among the Kikuyu, Kalenjin, and Luo communities often lead to violent confrontations (Chege, 2008). There appears to be a lack of effective peace and conflict resolution mechanisms that could unify these ethnic groups. In 2007, an international intervention was necessary, resulting in Kofi Annan's appointment as a mediator in the peace and conflict resolution efforts. This led to establishing a grand coalition government that introduced a new constitutional framework and initiated reforms, facilitating a peaceful election in 2013 (Brown, 2014).

Some researchers contend that the media significantly contributed to the violence during the 2007 elections. The rampant use of local radio stations to disseminate hate speech and incite violence was notable (Landau et al., 2009; Ellis, 1994). In Kenya, those responsible for the violence during elections have historically escaped accountability under state law. The government has previously failed to investigate or take meaningful measures to avert future electoral violence. Additionally, some officials and politicians have incited violence and manipulated the electoral process without facing prosecution, resulting in a persistent cycle of electoral conflict.

The situation changed in 2007 after the post-election chaos in Kenya, which prompted the International Criminal Court (ICC) to charge several prominent Kenyans with crimes against humanity (Lynch, 2014; Brown, 2014). Despite questions surrounding the ICC's credibility, this unprecedented action is a pivotal moment in Kenya's electoral politics, contributing to a more peaceful election outcome in 2013.

The political-institutional perspective attributes election-related violence after the 1992 elections primarily to ethnic rivalry and conflict, particularly between the Kalenjin and Kikuyu communities (Kagwanja, 2001). The violence from that period resulted in over 300,000 individuals being internally displaced due to property loss. Electoral violence in the years 1992, 1997, 2007, and 2017 was fueled by ethnic animosity, unemployment, inequality, and disparities in resource distribution, along with electoral fraud and the failure of political leaders to address the underlying causes of these conflicts (Mueller, 2011).

Various scholars have researched different aspects of electoral violence, including ethnic divisions, land disputes, media influence, and the role of party leaders. However, few have explored the link between political entrepreneurs and ethnicity in the context of party

systems (Holmquist, 2009). Kamungi (2001) describes political entrepreneurs as politicians who exploit ethnicity to gain electoral advantage. He argues that for these entrepreneurs, control of state resources is central to political competition, enabling ethnic elites to retain their positions of power.

To promote non-violence and tolerance during democratic elections, it is essential to form coalitions that align with shared ideologies and policies across diverse ethnic groups (Sisk, 2008). Researchers such as Horowitz (1985), Ajulu (2002), and Posner (2007) assert that historical ethnic divisions and social cleavages alone do not suffice to explain election violence, as many ethnically diverse societies successfully conduct peaceful democratic elections. They suggest that the creation of political parties and politicized ethnic groups is foundational to such violence, as these entities often use the media to provoke emotional responses and heighten tensions (Herman, 2013). The political framework in Kenya is structured not as a social contract between leaders and citizens but as agreements among ruling elites to control access to power (Hoglund & Jarstad, 2010).

In Kenya, politicians often manipulate political parties and electoral institutions. Established in 2002 to oversee the electoral process, the Electoral Commission has frequently failed to exert its authority over incumbent politicians. Furthermore, commission members are often bribed to distort the electoral process in favor of the incumbents and specific politicians. By overseeing a flawed electoral process whose legitimacy is questioned, the commission inadvertently incites violence as citizens respond violently to what they perceive as unacceptable electoral outcomes (Mueller, 2011).

Much of the electoral violence stems from public outrage over electoral irregularities, as incumbent leaders strive to retain power by any means necessary. With weak electoral

institutions and oversight, it is common for politicians to believe they can manipulate elections or incite violence without consequence (Orvis, 2001).

Mueller (2011) posits that the challenges in Kenya's transition to democracy are reflected in its weak institutions, making causal analysis complex. He identifies three contributing factors to the 2007 electoral violence: a gradual decline in the state's monopoly on legitimate force and an accompanying rise in generalized violence, the existence of weak institutions—often dominated by a personalized and centralized presidency—that lacked the autonomy or checks and balances characteristic of democracies, and the prevalence of political parties driven by ethnic interests and a winner-take-all mentality concerning political power and its associated economic benefits.

While Mueller outlines several factors, a significant aspect of his analysis is the relationship between the party system and ethnicity. Here, election violence is attributed to the party system and politicized ethnicity rather than changes in economic conditions or the activities of various social groups. The primary explanation is that a multitude of ethnically charged parties and coalitions tends to be less tolerant and more prone to violence during elections compared to a smaller number of broader-based parties, which are generally more inclusive and tolerant.

Przeworski (1991) argues that a functioning democracy requires legal institutions and a party system that ensures equitable treatment of electoral losers. Ultimately, the consolidation of democracy hinges on how defeated parties are treated and integrated. Even in a scenario with free and fair elections, if the electoral framework operates on a winner-takes-all principle, subsequent elections will likely become fierce contests among rival parties striving to control state power and resources.

This dynamic raises the stakes during elections, as parties may feel compelled to win to avoid being sidelined in government. Consequently, the risk of electoral violence escalates. This connection establishes a link between a majoritarian electoral system, ineffective electoral management bodies, and exclusionary ethnic parties as primary contributors to election-related violence in Kenya (Ashindorbe, 2018).

Political commercialization in Kenya, akin to Nigeria, has been observed by various analysts. Ashindorbe (2018) notes, "The shortest path to influence and affluence is through politics, synonymous with money, and money is synonymous with politics." Membership in the ruling party facilitates access to government, patronage, contracts, business deals, state employment opportunities, and other advantages. The implications include the following: first, a political career is often pursued solely for personal gain, primarily benefiting oneself, family, friends, and allies, making it attractive mainly to the wealthy and powerful in the country. Second, the patron-client relationship becomes deeply entrenched in the political and economic landscape. Third, the tendency to align with the ruling party undermines the possibility of meaningful opposition within the political framework. Lastly, ruling and opposition parties may resort to aggression to retain or obtain power, regardless of citizens' preferences.

According to Ashindorbe (2018), once politicians recognize "the profitability of holding power," established parties and their representatives use state mechanisms to maintain dominance. This results in a self-recruiting autocracy, and historically, no self-recruiting ruling elite has tolerated dissent. In such environments, violence becomes a means to acquire, maintain, and secure political authority (Sabine, 2007).

The allure of public office fosters a mindset focused on investment. Politics and governmental roles are increasingly commercialized; political investors and significant participants in the electoral process invest substantial sums in their campaigns, expecting a return. Consequently, no expenditure is considered too great to incite electoral violence, even at the expense of the lives of opponents and supporters who pose obstacles to their pursuit of political power and influence (Carotenuto, 2006). The structure of Kenya's state and regimes exacerbates recurring violence during elections. Klopp et al. (2007) observe that “the state is effectively privatized.” While still a considerable force, it has transformed from a public service ensuring the rule of law into a menacing entity for all but a select few who wield control, fostering lawlessness and lacking the capacity to mediate social conflict. In a privatized state, those in power may resort to violence and state repression to maintain control.

When excluded from government, individuals may turn to violence in their quest for power, particularly in a culture that permits mistreatment of others, access to office, and plundering of public resources with impunity (Kakuba, 2016; Joseph, 2014). Ineffective law enforcement significantly contributes to violent elections. A total absence of political will and commitment from the ruling class, alongside the non-enforcement and disregard for electoral laws, fosters an environment conducive to violence during elections (Alston, 2009). Because the government and law enforcement agencies fail to uphold regulations, political actors, party supporters, and gangs can flout political conduct laws with impunity (Barkan, 2008).

When those managing the electoral process neglect to enforce regulations, numerous opportunities for violence arise; if the law fails to prevail, it results in a situation akin to having no laws to guide electoral conduct (Brown & Raddatz, 2014). Consequently,

Kenya's inadequate legal framework acts as a catalyst for a culture of violence, leading to unrest, destruction, and loss of life. As Brown (2014) notes, when the rule of law is weak, the judicial system falters, and insufficient sanctions diminish the likelihood of punishing offenders, culminating in a fragile and unstable environment (Brown & Raddatz, 2014).

Rigging is another significant factor that can lead to violent outbreaks during elections (Balogun, 2003). Past elections have demonstrated that manipulating the democratic process through extensive organized fraud results in violent turmoil before, during, and after the electoral period. The use of political thugs by politicians to manipulate voting in areas perceived as unfavourable can trigger violence if opposed by rivals or citizens. Furthermore, violence often ensues when a favored candidate is predicted to win (De Smedt, 2009). A case in point is the announcement on December 30, 2007, when the Electoral Commission of Kenya declared Kibaki the victor of the presidential election, with 4,584,721 votes against Raila Odinga's 4,352,993. Kibaki was quickly sworn in (Chege, 2008).

Following the announcement of the final results, violence erupted in various opposition strongholds, including the Kibera slums in Nairobi, Kisumu in Nyanza, and parts of the Rift Valley region. Although the initial unrest appeared spontaneous from ODM supporters who contested the results, it soon became evident that it was organized along ethnic lines (Corradetti, 2015; & De Smedt, 2009). For instance, in Eldoret, Rift Valley, and Kalenjin communities, targeted groups perceived to support the PNU, including the Kikuyu, Kamba, and Kisii ethnicities. Similar assaults were reported in Nyanza. In retaliation, Kikuyu youths, primarily from the Mungiki sect, were allegedly moved to areas such as Naivasha, Nakuru, and the Nairobi slums to attack Luo and Kalenjin individuals.

As a result of the violence, it is estimated that around 1,200 Kenyans lost their lives, and over 650,000 were displaced (Chege, 2008). Following allegations of rigging, violence erupted after the 2017 presidential elections, leading to destruction, loss of life, murders, and the burning of homes (KHRC,2018). The Supreme Court eventually annulled the elections. The media's role in spreading slander, fear, disinformation, and accusations against political opponents must be acknowledged as a catalyst for violent conflict (Dercon, 2012; & Nyabola, 2018).

By capitulating to the influence of self-serving politicians who exploit their platforms as propaganda tools, the media perpetuates sensational political narratives that incite violence (IRI, 2007). The aforementioned causes, while not exhaustive, contribute significantly to election-related violence in Kenya. Next, we explore their consequences and effects on national development in Kenya.

Lynch (2014) notes that electoral violence's impact on investment is comparable in magnitude to that of civil war and terrorism but more consistent. From the perspective of businesses, electoral violence is not a minor issue; such violence sends strong signals to foreign firms regarding political stability within a country. In their research, Kanyinga and Long (2012) found that increasing election-related violence severely affects nations and can disrupt regional global partnerships.

According to Mosero (2022), in December 2018, the Trump administration introduced the New Africa Strategy, emphasizing expanding economic and security ties grounded in mutual respect. In this strategy, the US government identified the "advancement of commercial ties and US investment" as a critical tool for promoting its interests in Africa and ensuring economic stability amid rising militancy in key African regions, including

the Great Lakes region and the Sahel. The authors argue that the advancement of such economic strategies may be hindered by escalating electoral violence.

As Klaus (2020) points out, several questions remain unanswered. The impact of electoral violence on various economic indicators, such as sovereign credit ratings, unemployment rates, foreign aid, or economic production, is still unclear. Nevertheless, using violence to intimidate opponents or rally supporters effectively aids in gaining and maintaining power. However, once these short-term objectives are achieved, an analysis of the economic ramifications of electoral violence reveals that such tactics can impose significant financial burdens on the nation as a whole.

Willis and Chome (2014) emphasize that electoral violence has widespread economic and political repercussions. Local and international efforts to prevent or mitigate election-related violence are crucial in their own right. They may provide additional advantages by maintaining stability in economies and communities that could suffer severely from disruptions in foreign investment.

Kelley (2018) reported that the consequences of election-related violence broadly encompass undermined civil and political rights, leading to human suffering. This includes disenfranchisement, the deprivation of voting rights, and psychological, physical, and sexual violence against specific groups—especially women—which can have both short and long-term impacts on the victims and their families and communities.

Ng'etich (2022) states that post-election violence also leads to a loss of trust in democratic processes and institutions. Electoral violence perpetuates oppressive and non-democratic power structures, including patriarchal repression in institutional spaces. It not only

undermines trust in democratic processes but also degrades the quality of democracy through direct means (such as repressing or killing voters and candidates) and indirect ones (such as limiting inclusive participation) and through public perceptions of legitimacy. In some cases, elections have come to be synonymous with turmoil and danger, which has detrimental effects on trust in democratic processes and institutions.

However, while one ethnic group may dominate a coalition, several ethnic groups are often represented. Each ethnic grouping has the potential to fracture, reorganize, or ally with new partners (Lynch, 2006). Coalition formation, irrespective of ethnic composition, occurs out of a fear-driven need to establish a government or ensure a functioning popular mandate. The instability of coalition governments, including Kenya's, often arises when coalition parties lack ideological alignment in policy and program orientation, leading to disagreements and dysfunction. This can create instability and conflict within the country (Shilalalo, 2013).

In the 2002 multiparty democratic elections in Kenya, opposition parties united to form a coalition to oust the long-standing ruling party, KANU, led by President Daniel Arap Moi, who had been in power for 24 years (Oyugi, 2002). Oyugi (2002) explains that the primary motivating factor behind the coalition's formation was the ambition of a segment of the elite to gain power and access the benefits associated with holding power. Once in office, they reestablished themselves along ethnic lines, marginalizing their allies from other ethnic groups. This fallout laid the groundwork for the electoral violence witnessed in the 2007 elections (Oyugi, 2002). Mozaffar (2003) states that the multi-ethnic nature of ethnic political divisions pressures the formation of multi-ethnic electoral coalitions, which can,

in turn, create party systems with minimal fragmentation. Such systems facilitate the establishment of multi-ethnic coalitions.

In 2002, Kenyans appeared weary of previous opposition disunity, which allowed incumbent President Daniel Moi to retain his position with minority ethnic votes. Kenyans urged opposition leaders to unite and form a formidable Rainbow Coalition composed of Kikuyus, Kalenjin, Luo, Luhya, and Kamba. This unity resulted in a peaceful election in 2002, which the opposition candidate won decisively. Horowitz's (1993) constructive view of multi-ethnic electoral coalitions applies to Kenya's National Rainbow Coalition of 2002.

Elischer (2008) noted, "Kenya's political parties have increasingly included diverse communities but have consistently failed to bridge the country's dominant ethnic divides." However, during the 2007 general election, violence erupted in several opposition strongholds, including Kibera in Nairobi, Kisumu in Nyanza, and parts of the Rift Valley, immediately after the announcement of the election results, which suggested that the electoral management body had unfairly eliminated their leading candidate in favor of incumbent Mwai Kibaki. A major conflict arose between the Luo, Kikuyu, and Kalenjin over the election results. The Luo and Kalenjin believed that Odinga had legitimately won the presidency but was denied by electoral commission rigging. The resulting violence was unprecedented, with an estimated 1,000 deaths and over 600,000 people displaced internally. This was perhaps the bloodiest electoral chaos in Kenya's history, resembling a genocide where ethnic groups turned against each other (Lynch, 2008).

The literature emphasizes election outcomes as a primary source of violence, particularly in the context of Kenya's 2007 general elections. However, ethnic divisions, party compositions, media influence, and electoral processes may have also contributed to the

unprecedented election violence. As Ndungu (2008) states, electoral violence in Kenya was not simply an electoral dispute over results but rather a situation bound to occur (Ndungu, 2008).

Poorly managed elections and inequality among Kenyan citizens may have triggered the electoral violence, but it can be argued that historical social and economic-political structures have been at play. The social relations among major ethnic groups, including the Kalenjin, Kikuyu, and Luo, have been fraught with tension and animosity since pre-colonial times. The struggle for land control and political power has often led to conflicts. Indeed, several scholars assert that ethnicity remains a dominant force influencing politicians, who politicize ethnic identity as a primary strategy for winning elections (Mapeu, 2007; & Oyugi, 1997).

The impact of ethnicity on Kenya's electoral process has historical roots, particularly visible during the 1992 elections, as noted by Oyugi (1997). Scholars often highlight this period to explore the origins of electoral violence within Kenya. The shift from a single-party to a multi-party system was marked by considerable tension and rivalry among ethnic groups striving to replace President Daniel Arap Moi and the Kalenjin community's influence. During this period, political parties formed along ethnic lines, reflecting the demographics across Kenya's provinces. This volatile political environment saw various factions exploiting vulnerable groups, including women and children, to advance their agendas, resulting in grave human rights violations. A widespread perception among Kenyans during this time was that the principles of law and human rights were unfamiliar and externally imposed concepts, leading to the unchecked erosion of fundamental rights (Obonyo, 2008). Political violence has since become viewed as a battleground for power and control of government resources and authority (Landau et al., 2009).

Economic repercussions inevitably accompany post-election violence, as Bekoe (2012) argues. Conducting elections is one of the most resource-intensive activities in a democratic society, imposing substantial financial and logistical burdens. Governments sometimes struggle to meet these costs and must rely on foreign assistance. Political parties and election monitoring bodies, both domestic and international, also incur significant expenses to ensure fair and credible electoral processes. Yet, the outbreak of violence diverts these resources, inflicting harm on local communities and deteriorating critical infrastructure, causing adverse economic outcomes. The Voice of America (2009) reported that Kenya's post-election violence in 2007-2008 cost the economy approximately \$3.7 billion, endangering about 400,000 jobs. As a crucial player in the East African economy, Kenya's instability had cascading effects on neighbouring countries, which depend on its infrastructure for trade. This situation increased commodity prices and created logistical barriers for relief agencies supporting millions of displaced persons in the region (Kimani, 2008; Alihodzic, 2012).

Electoral violence undermines democratic institutions like those in Kenya, impairing the integrity of elections, diminishing voter turnout, and limiting choices on the ballot. This environment of intimidation and coercion leads to voter disenfranchisement and compromises election legitimacy, ultimately fostering authoritarianism and eroding public trust in democratic governance (Brown, 2003). In well-functioning electoral systems, violence disrupts voter participation and creates a climate of fear and mistrust, reducing the stability needed for social cohesion and national growth (Collier & Von Borzyskowski, 2011). Stability fosters development, peace, and governance, while electoral malpractices like ballot stuffing, thuggery, and rigging threaten democracy's foundational values and obstruct sustainable development (Hoglund & Jarstad, 2010).

A vital role of the state includes safeguarding territorial integrity, protecting citizens' welfare, and fostering human security. Modern security paradigms emphasize human welfare over militarization, recognizing that poverty, hunger, and illness, if left unaddressed, threaten long-term security and national development. Investments in human security, including initiatives addressing poverty and disease, reduce the need for military expenditures to manage internal threats like human trafficking and civil unrest. Prioritizing sustainable development enhances stability by reducing vulnerabilities that could otherwise escalate into conflicts (Hoglund & Jarstad, 2010).

Kenya's electoral landscape indicates a recurring failure among political elites to adhere to democratic norms that promote national progress. Political elites frequently disregard democratic principles of tolerance, dialogue, and compromise, treating elections as battlegrounds fraught with disorder. Consequently, political parties often resemble militant factions poised for conflict, viewing electoral competition as an all-or-nothing battle (Lindberg, 2003). Dagne (2008) describes elections as existential struggles where loss is not an option, a dangerous outlook that strains Kenya's fragile social fabric and risks splintering the nation. The post-election violence in Kenya has underscored the vulnerability of the country's peace and stability (Van De Walle, 2003).

The adverse effects of electoral violence extend deeply into Kenya's national development, beginning with widespread insecurity, loss of life, and property destruction, as seen in the election years of 1992, 1997, 2007, and 2017. The 2007 election violence alone caused approximately 1,200 deaths, displaced 650,000 individuals, and resulted in significant property losses (Chege, 2008). Such conflicts reveal weaknesses within Kenya's security apparatus, where, in some instances, law enforcement response exacerbated the situation through the use of excessive force, thereby fuelling public grievances. Numerous reports

from the Kenya Human Rights Commission and Human Rights Watch document police misconduct, including unlawful killings and unwarranted force against civilians (Alston, 2009). These incidents expose structural shortcomings within the state that compromise citizens' rights to safety and peace (KHRC, 2010).

The repercussions of national turmoil extend to economic stability, disrupting infrastructure, draining resources, and deterring foreign investment essential for growth. Funds diverted for rebuilding after violence detracts from social and human development initiatives, ultimately impacting the country's economic welfare. Investor confidence diminishes in climates of insecurity, prompting foreign businesses to seek safer, more stable environments. Persistent violence and instability create low economic productivity and stagnant growth conditions, hindering Kenya's development potential (Linz & Stepan, 1996). This climate of insecurity discourages foreign direct investment, deepening Kenya's developmental challenges (Mueller, 2008).

The detrimental effects of post-election violence also weaken the foundation for democratic consolidation, as insecurity inhibits social and economic stability, leading to structural violence. Johan Galtung's theory of structural violence suggests that societal inequities and imbalances can perpetuate cycles of conflict and hinder national progress. Kenya's 2007 electoral conflict exemplified these dynamics, producing a vast number of Internally Displaced Persons (IDPs) and hindering citizens' ability to thrive in a secure environment. For development to prosper, a peaceful foundation is essential; without it, economic growth is severely constrained, further entrenching disparities and impeding democratic processes.

Furthermore, the continuous cycle of election-related violence reflects a fragile political structure that fails to address grievances from opposition groups and governance

stakeholders. This environment cultivates a climate of political instability, revealing a state unable to resolve disputes peacefully and reinforcing patterns of violence. Such conditions inhibit establishing an effective, resilient democracy, delaying social progress and entrenching national instability (Bekoe, 2012).

Electoral violence is detrimental to society, as it often disregards or violates fundamental issues related to human rights, gender equality, and cultural identities. Such neglect adversely affects human security and social development, both of which are crucial for national progress (Bekoe, 2012). Additionally, post-election violence contributes to a cycle of violence within the country, negatively influencing the children and youth in areas affected by electoral turmoil. According to social learning theory, these young individuals may adopt violent behaviors and attitudes (Anderson, 2012).

This helps explain the prevalence of violence in various forms of political mobilization, including political rallies and even sporting events like football matches in Kenya. Since the reintroduction of multi-party politics in the early 1990s, presidential elections have consistently been marred by violence, with the 2007 elections being the most severe.

It shows that concepts of tolerance, negotiation, and compromise have yet to take root in Kenyan political culture. The repercussions of Kenya's presidential elections continue to threaten the nation's socioeconomic and political development, as seen during the 2017 elections (Fjelde Hanne & Kristine Hogland, 2018).

Fostering a culture of tolerance, accommodation, negotiation, and compromise is crucial for positive change in individuals, communities, and national institutions. The lack of political and economic stability and the ongoing disruption to social development caused

by post-election violence from independence to the present highlights the ongoing struggle for genuine national development in Kenya (Barkan, 2008).

The impacts of electoral violence and the resulting conflicts also include secondary consequences such as starvation and disease. Violence during elections has displaced numerous communities who had settled outside their ancestral homes. Many individuals were forced to leave their jobs, farms, and houses, seeking refuge in overcrowded makeshift camps lacking essential services (Kamungi, 2009).

The political ramifications of this violence include the erosion of democratic systems, forced voter relocations, ecological damage such as deforestation and pollution, social disintegration leading to family separations, and psychological and spiritual consequences that undermine societal values and the meaning of life. Ultimately, election-related violence and conflict hinder development at both micro and national levels (Mueller, 2008).

From an economic perspective, electoral violence significantly affects human lives, affecting both household and national economies. At the microeconomic level, loss of income potential and the diversion of savings to address expenses like relocation, healthcare, or funerals place a heavy burden on families. This often leads to children dropping out of school, risking the perpetuation of poverty and suffering (Kirimi & Njuguna, 2014).

At the macroeconomic level, violence associated with elections is believed to slow economic growth, threatening job creation, living standards, and government resources. This decline can hamper the government's ability to respond effectively to crises. The

national economy suffers from reduced production due to the loss of human capital, especially in key sectors such as agriculture and services (Kirimi & Njuguna, 2014).

Jenkins (2015) notes that electoral violence often impacts skilled and unskilled workers, resulting in substantial costs associated with absenteeism, recruitment, and productivity losses. Affected workers may be replaced with less experienced individuals, decreasing workforce quality (Kamugi, 2009). Health services also become strained due to a significant increase in demand, compounded by the migration of healthcare professionals.

The education sector is similarly affected, as children are compelled to drop out or have their schooling disrupted. Girls are especially vulnerable, often being required to withdraw from school to care for family members or engage in income-generating activities. Displaced individuals and those forced to relocate face challenges accessing formal social safety nets and welfare systems from the state. In this manner, electoral violence exacerbates social divisions and perpetuates issues of gender inequality, discrimination, and human rights abuses (Kakuba, 2016).

Food security is significantly impacted as agriculture is critical in Kenya's national economy, providing jobs, generating export revenues, and ensuring food security for many citizens. Approximately 60% of the Kenyan population relies on agriculture for their livelihoods (Dagne, 2008). A decline in the agricultural workforce can have profound consequences, including disrupted agricultural production, abandoned farms, and deteriorating crops, as skilled labourers flee areas of violence. Furthermore, the diversion of funds to cover the costs associated with violent displacement leaves households with insufficient resources to purchase nutritious food, thereby threatening food security (Klopp & Elke, 2007).

Electoral violence, particularly along ethnic lines, has become increasingly common in Kenya since the establishment of multi-party politics. Leading up to the 1992 General Elections, armed gangs associated with KANU targeted various ethnic groups, including Kikuyu, Luo, Luhya, and Kamba, in the Rift Valley region (Oyugi, 2003). These clashes resulted in the deaths of 779 individuals and the displacement of over 250,000 people. Similarly, during the 1997 elections, KANU supporters attacked ethnic groups perceived as outsiders in the Rift Valley and Coastal regions, leading to approximately 400 deaths and over 100,000 displacements (Gutiérrez-Romero, 2013).

The 2002 General Election was an exception in this pattern, as it did not follow the violent trends of previous elections (2002, 2007, 2013, and 2017). The two main presidential candidates, Mwai Kibaki (NARC) and Uhuru Kenyatta (KANU), hailed from the same Kikuyu ethnic community. Additionally, there was no incumbent president, and while some violence occurred (estimated at fewer than 200 deaths), the results were accepted by most Kenyans (Anderson, 2002). Political scholars, such as Brown (2009) and Halakhe (2013), attribute this relative peace to the coalition among Kikuyu, Luo, Kamba, and Luhya communities, allowing for a united opposition candidate. This coalition marked a significant shift, as it was the first instance since Kenya's transition to a multi-party state in which ethnic attributes did not dominate the campaign period (Dagne, 2011).

The alliance between NAK and LDP in 2002 that facilitated the first free and fair elections in Kenya lasted only three years. In 2005, Raila Odinga's LDP split from NAK and joined KANU to advocate for a referendum leading to a new constitution, later forming the Orange Democratic Movement (ODM) (Dagne, 2011). The primary communities in this new coalition included the Luo and Kalenjin. During election campaigns, politicians from the leading parties—Party of National Unity led by Mwai Kibaki and ODM led by Raila

Odinga—made inflammatory statements targeting individual politicians and various ethnic groups. These messages spread through public rallies, posters, SMS, fliers, and vernacular radio stations (Dercon & Gutierrez-Romero, 2012). Evidence also suggests that some religious leaders used their platforms to incite ethnic hatred against perceived outsiders (Lindberg, 2003).

On December 27, 2007, Election Day was relatively calm, with few incidents of violence. The Electoral Commission of Kenya (ECK) began releasing constituency results as they were tallied. However, by December 28, reports indicated that opposition leader Raila Odinga was leading, although it was premature to declare him the winner. Suspicion of electoral fraud emerged as the vote gap between Raila and Kibaki began to close, prompting delays in announcing final results. Concerns intensified when Raila Odinga accused the ECK of manipulating the results during a press conference on December 30, 2007 (Anderson & Lochery, 2008). He stated he would not pursue legal action against election violations due to fears of manipulation by the ruling government (Dercon & Gutierrez-Romero, 2012). The ECK eventually announced Kibaki as the election winner with 4,584,721 votes against Odinga's 4,352,993 votes, and Kibaki was swiftly sworn in (Chege, 2008).

Following the announcement of the final results, violence erupted in various opposition strongholds, including the Kibera slums in Nairobi, Kisumu in Nyanza, and parts of the Rift Valley. Initially, this violence appeared spontaneous, driven by ODM supporters who rejected the results. However, it soon became evident that it was organized along ethnic lines (De Smedt, 2009). In the Rift Valley, Kalenjin groups targeted communities perceived as supporters of PNU, including Kikuyu, Kamba, and Kisii. Concurrently, violence was also reported in Nyanza. In retaliation, it was alleged that Kikuyu youths

from the Mungiki sect were transported to areas such as Naivasha, Nakuru, and Nairobi slums to carry out attacks against Luo and Kalenjin communities. Approximately 1,200 Kenyans lost their lives, and over 650,000 were displaced due to the violence (Chege, 2008).

The peace process that followed the post-election violence involved both regional and international efforts to avert potential civil unrest and war. An African Union mediation mission led by former UN Secretary-General Kofi Annan ultimately facilitated the signing of the National Accord by Kenya's leaders, Mwai Kibaki and Raila Odinga, which helped restore peace in the country (De Smedt, 2009). Moreover, fifteen bilateral donors adopted a "business as usual" stance toward Kenya, leveraging threats such as withholding foreign aid and imposing trade bans on political leaders sabotaging peace initiatives during this period.

The post-election violence that occurred in Kenya between 2007 and 2008 has been linked to several conflict factors, as highlighted by an investigative commission. A primary cause is the marginalization of certain ethnic groups, particularly regarding resource distribution, especially land (Corradetti, 2015). Many regions outside urban areas remain predominantly ethnic enclaves (Dercon & Gutiérrez-Romero, 2012), creating a divide between 'insiders'—those regarded as native to the area—and 'outsiders' who have settled through land purchases or government allocations. Following independence, land previously held by white settlers was used by the government of Jomo Kenyatta as a means of patronage, predominantly benefiting the Kikuyu community, the ethnic group of Kenya's first president (Gerhart et al., 1999). Leaders from non-Kikuyu communities in the Rift Valley have historically leveraged these grievances to provoke ethnic violence.

Another issue identified by the commission was the country's highly centralized governance system. The president exercised control over institutions meant to provide checks and balances, such as the judiciary, legislature, and police, which were perceived as lacking independence and integrity (Gibson & Long, 2009). Many ethnic communities believe that access to state resources is contingent upon having a political leader from their own group in the presidency.

Additionally, high youth unemployment contributed significantly to the 2007/08 post-election violence, with around 2 million youths unemployed in Kenya at that time (Gibson & Long, 2009). The sluggish pace of job creation exacerbated the situation, leading to an increase in youth gangs and militias across the country. Politicians often 'employ' these groups to disrupt or execute violent actions against their opponents, making them key actors during the post-election violence in 2007 (Gibson & Long, 2009).

Furthermore, despite clear evidence of various political leaders and radio personalities inciting violence against other ethnic groups, legal action against them has been minimal. The nation has struggled to hold accountable those responsible for electoral and ethnic violence over the years (Corradetti, 2015). Previous commissions, including the Kiliku Parliamentary Committee (1992) and the Akiwumi Commission (1997), have identified perpetrators, yet no action has been taken. Additionally, recent International Criminal Court (ICC) cases against the sitting president and deputy president were dismissed without accountability, citing witness tampering issues that impacted the cases' outcomes (Mansfield & Snyder, 2005).

On March 4, 2013, Kenyans voted for their political leaders, with eight candidates running for the presidency. Raila Odinga and Uhuru Kenyatta (the son of the first vice president and president, respectively) were the main contenders. Despite the electoral reforms implemented after the 2007 elections, the risk of violent conflict remained significant (Mensah, 2014). According to Human Rights Watch (2013), pre-election violence in the North Eastern, Eastern, and Coastal regions resulted in over 477 deaths and the displacement of 117,000 individuals. Political alliances were still largely based on ethnic lines (Human Rights Watch, 2013). The Jubilee coalition, led by Uhuru Kenyatta and William Ruto from the Kikuyu and Kalenjin communities, opposed the ODM coalition led by Raila Odinga and Kalonzo Musyoka from the Luo and Kamba communities. On March 9, the Independent Electoral and Boundaries Commission (IEBC) announced Kenyatta and Ruto as the winners with 50.07% of the votes (Gutiérrez-Romero, 2013). Notably, they won by just 8,000 votes, more than needed for a run-off. Odinga contested the results in the Supreme Court of Kenya, which upheld them while acknowledging some irregularities (Corradetti, 2015). Odinga ultimately accepted the results. Unlike the violence that erupted after the 2007 elections, the 2013 elections were largely peaceful, leading the international community to view them as a success (Gutiérrez-Romero, 2013).

Kenya held another national election on August 8, 2017, with Uhuru Kenyatta and Raila Odinga again as the main presidential candidates. The initial results indicated that Kenyatta had secured 54% of the votes (Aljazeera, 2017). However, the opposition leader contested these results in the Supreme Court, alleging election tampering. Notably, just 12 days before the election, Christopher Msando, the head of information technology for the IEBC, was found dead on the outskirts of Nairobi (Adhiambo, 2017). His murder raised suspicions that it was intended to facilitate result manipulation, although this remains

unproven. The Supreme Court ultimately invalidated the 2017 presidential election due to the results not meeting the required standards of accuracy.

Repeat elections were held on October 26, 2017. However, Odinga withdrew from participating in these elections on October 10. Following the initial election results from August 9 to 15, several incidents of violence erupted in areas such as Kawangware, Mathare, Kibera, Baba Dogo, Lucky Summer, and Huruma in Nairobi, as well as in Kisumu County and other regions. Reports indicated that police killed at least 35 people while attempting to suppress protests (Adhiambo, 2017).

Mueller (2011) points out that Kenya has faced numerous electoral challenges since independence, including unrest during elections. Political divisions often make it difficult for supporters to coexist peacefully. The severity of political violence has been marked by numerous killings, as well as abuse directed towards women and children, along with the destruction of property (Mueller, 2011). During the 2007 elections, many Kikuyu residents in the Rift Valley suffered arson, with some seeking refuge in churches, having lived among the perpetrators for many years (Mueller, 2011). Kalenjin community members also faced significant difficulties in areas like Naivasha, where blocked roads made it impossible for them to return home.

Mozaffar, Scarritt, and Galaich (2013) note that attempts to address financial and political disparities among the Kikuyu, Kalenjin, and Luo communities often result in violence. There appears to be no effective mechanism for resolving conflicts and fostering cooperation among these groups (Mozaffar, Scarritt & Galaich, 2013). In 2007, international intervention was necessary, with Kofi Annan appointed to facilitate dialogue and reconciliation, leading to the introduction of new electoral laws and relatively peaceful elections in 2013 (Mozaffar et al., 2013).

Several political analysts argue that the media played a significant role in the electoral violence of 2007, particularly through local radio stations that disseminated hate speech and incited violence (Landau et al., 2009 & Ellis, 1994). There has been little accountability for the perpetrators of violence in subsequent elections. Governments and politicians have sometimes incited violence and manipulated the electoral process without facing consequences, contributing to a cycle of electoral violence. Reports indicate that post-1992 riots have largely stemmed from ethnic conflicts between the Luo and Kikuyu communities, resulting in over 300,000 people being displaced due to property loss. Electoral violence in 1992, 1997, and 2007 has led to ethnic strife, unemployment, unequal resource distribution, and a lack of political leadership to address the root causes of violence and community grievances.

2.2.4 Knowledge gap on Causes and Consequences of Post-Election Violence

The causes and effects of post-election violence continue to present a significant knowledge gap that demands further examination and understanding. Post-election violence is often driven by a range of intertwined factors, with socio-political divisions and ethnic tensions playing a major role. Historical grievances that have been deeply entrenched, coupled with marginalization and inequalities among communities, tend to fuel resentment, particularly during elections. Political parties frequently capitalize on these existing tensions, exploiting them for their own benefit, which only worsens the situation and escalates hostility (KHRC, 2011).

In addition to these social and political fractures, weaknesses in the electoral management system contribute to the rise of violence. Flaws such as voter suppression, irregularities in the ballot count, and the lack of transparency can undermine public trust in the electoral process. When the population believes that the election results have been manipulated or

rigged, frustration can boil over, prompting violent responses to voice dissatisfaction and demanding accountability. The aftermath of such violence is devastating and far-reaching. The most immediate and severe consequence is the loss of lives and physical harm to individuals, causing profound grief and trauma within affected communities. Alongside this human toll, the destruction of property and infrastructure adds to the socio-economic challenges, further obstructing efforts toward recovery and development (UNDP, 2016).

Beyond these direct impacts, post-election violence has long-term repercussions on social cohesion and national unity. The deepened polarization and the widening of divisions can obstruct the creation of inclusive governance frameworks, slowing the progress toward achieving sustainable peace and the consolidation of democracy. Displacement is another significant consequence, as both internally and externally displaced populations face prolonged displacement, disrupting their livelihoods and putting immense strain on already fragile social systems. Moreover, the fallout from post-election violence often extends beyond the borders of the affected country, threatening regional stability. Conflicts spilling across borders and the influx of refugees into neighbouring states can strain diplomatic relationships and burden these countries' economies and social infrastructures. As such, the effects of post-election violence are not confined to the immediate aftermath but reverberate throughout the region, creating challenges for cross-border cooperation and economic integration (Kanyinga, 2010).

More comprehensive research is essential to address the knowledge gap around the causes and consequences of post-election violence. Conducting in-depth studies, including comparative analyses of various regions, such as Kenya, will help generate valuable insights into the nature of post-election violence. This type of research requires an interdisciplinary approach that combines political science, sociology, conflict resolution,

and other relevant fields to create a complete picture of the factors involved. By filling the knowledge gap surrounding post-election violence, such studies aim to develop evidence-based strategies that reduce the likelihood of future occurrences and lessen the impact when they arise (International Conference, n.d)

These sustained research efforts will also help guide informed policymaking and foster collaborative international engagement, ultimately contributing to the prevention of post-election violence on a broader scale.

2.3 General Overview of Challenges and Opportunities Faced by Electoral Management Bodies in Managing Elections

An Electoral Management Body (EMB) is an institution or body that holds legal responsibility for overseeing and administering essential elements related to elections and direct democracy mechanisms (Arapovic & Brljavac, 2012). These responsibilities include organizing voting operations, determining voter eligibility, accepting and verifying the nominations of electoral participants (which may include political parties or individual candidates), conducting the actual voting process, tallying the votes, and announcing the results. An EMB might function as an independent entity or as a subdivision within a larger organization that manages other non-electoral activities (Agbibo, 2018).

In alignment with this, Achen and Blais (2015) and (International Affairs, n.d) provide a similar definition of an EMB as an organization specifically created and legally mandated to manage either some or all of the necessary components required for the conduct of elections and the execution of direct democracy mechanisms—such as referendums, citizen initiatives and recall votes—where these instruments are included

within the legal framework. These critical elements include determining voter eligibility, accepting and verifying nominations of political candidates or parties, overseeing polling, counting the votes, and ensuring the accurate tabulation of results.

When these essential duties are shared among different organizations or bodies, all entities that manage these responsibilities can collectively be considered electoral management bodies (Beekoe, 2012). Such bodies can operate as independent institutions or as specialized units within larger organizations with broader mandates. In addition to the core responsibilities outlined, an EMB may also handle supplementary tasks that assist in the overall election process, such as voter registration, setting electoral boundaries, educating voters, monitoring media, and resolving electoral disputes.

Corradetti (2015) posits that a body which solely focuses on non-electoral responsibilities—such as boundary delimitation (e.g., a boundary delimitation commission), resolving electoral disputes (e.g., an electoral court), monitoring election media (e.g., a media monitoring commission), or educating voters (e.g., a civic education commission)—cannot be categorized as an EMB since it does not manage the core elements of elections and democracy mechanisms as previously defined. Furthermore, national population or statistics bureaus that create voter registers as part of a broader population registration process are also not classified as EMBs. (International Conference, n.d)

Electoral management operates through three primary models: independent, governmental, and mixed. Regardless of the model in use, the EMB must be capable of ensuring both the credibility of the electoral process and the legitimacy of election outcomes (Gabie,2019). This can only be achieved when electoral management adheres

to a set of fundamental principles, which include independence, impartiality, integrity, transparency, efficiency, professionalism, and a focus on public service (Ndungu, 2021).

A review of empirical literature reveals several challenges that EMBs face. One of the most prominent issues is the high cost of elections, which can be categorized into three types (Caramani, 2017): core costs (direct costs), which are associated with implementing elections in a stable environment; diffuse costs (indirect costs), which are related to services that contribute to elections but are part of general agency budgets; and integrity costs, which cover the expenses needed to ensure security, political neutrality, and fairness throughout the electoral process (Gabie, 2019)

Brown and Raddatz (2014) argue that while inadequate financing and budgeting for elections may not directly incite violence, a lack of sufficient resources could force EMBs to make compromises that compromise the integrity and security of the election process, leaving room for disputes that could potentially escalate into violent conflicts. For instance, insufficient core costs may lead to technical issues in the electoral process; a lack of diffuse funds might restrict the involvement of supporting agencies, particularly those responsible for security; and an absence of integrity funds could undermine the legitimacy of the entire process.

Rasmussen (2018) suggests that delays or failures in providing essential electoral materials, inadequate security measures, and a lack of transparency in handling election-related activities before or after the voting and counting stages can damage public perceptions of an election's credibility. This can lead to a rejection of the election results and may contribute to election-related violence. Even when elections are conducted properly and procedurally, in some cases, they may still result in contested outcomes, especially in countries with long-standing grievances.

The empirical literature also identifies several opportunities for Electoral Management Bodies. Birnir and Gohdes (2018) emphasize that the legal framework governing elections comprises constitutional provisions, legislation, rules, and procedures that regulate the design of the electoral system, the establishment of electoral bodies, and the administration of electoral activities. An inclusive, fair, clear, and uncontested legal framework is a critical foundation for the successful and peaceful execution of elections (Kipiima, 2023)

Ashindorbe (2018) further argues that, in addition to electoral laws and institutions, the roles, responsibilities, and rules of engagement for security sector agencies (SSAs) should be clearly defined within the legal framework governing their participation in elections. Following an analysis of previous election cycles, EMBs and SSAs should collaborate on legal and institutional reforms to address weaknesses identified during prior elections. Furthermore, other state and non-state actors can facilitate public debate and promote national consensus on electoral reforms and institutional frameworks.

Similarly, Agbibo (2018) notes that evaluations should inform the reform of electoral laws and institutional frameworks of previous electoral processes. These evaluations, typically conducted after elections, are designed to identify any ambiguous or flawed legal provisions and practices that negatively affected the conduct of the previous elections. Such reforms should consider various factors, including the electoral system's suitability, the EMB's credibility, the effectiveness of electoral dispute resolution mechanisms, and the integrity of voter registration and political party nomination processes. Additionally, reforms should address the quality of laws that govern the conduct and responsibilities of political parties, the mechanisms for replacing elected representatives, and the channels for sharing information with security agencies, citizen

groups, and other relevant bodies (UNDP, 2009). EMBs are uniquely positioned to advise on and influence the implementation of these changes.

Kakuba (2016) highlights the opportunity for EMBs to provide valuable advice to political stakeholders on designing electoral systems, considering the pros and cons of different models. The specific design of an electoral system can impact key factors such as voter participation, representation, government stability, the accountability of elected officials, and political pluralism. Elements like how votes are translated into seats, the size of electoral districts, the ratio of votes to seats, and the drawing of electoral boundaries require careful consideration. An EMB is well-placed to offer legislators guidance on the practical implications of different electoral systems within a specific national and electoral context.

2.3.1 Global Overview of Challenges and Opportunities Faced by Electoral Management Bodies in Managing Elections.

In the global arena, the concept of an Electoral Management Body (EMB) has been understood differently across various countries. Sometimes, it is called an electoral commission (Wall & IDEA, 2006). Despite this distinction in nomenclature, political scientists often use these terms interchangeably, with the primary function of an EMB remaining the same: ensuring the proper conduct of elections. For example, Pintor (2000) highlights that the Federal Electoral Institute administers the EMB in Mexico, while in Paraguay, it is overseen by the Federal Electoral Justice. Similarly, in Honduras, the electoral process is handled by the National Electoral Tribunal; in Russia, by the Central Election Commission; in the United States, by the Federal Electoral Commission; in Burundi, by the National Independent Electoral Commission; in Rwanda, by the National

Electoral Commission (RNEC), and in Ghana by the Electoral Commission. In South Africa, the elections are conducted by the Electoral Commission (Nugroho, 2017).

Moreover, as per Wall & IDEA (2006), some nations establish separate EMBs for different electoral processes. For instance, in Mexico and Poland, the same EMB is responsible for both presidential and parliamentary elections, whereas in Lithuania, a different EMB manages each of these elections. In the United Kingdom, there is a clear distinction between the electoral arrangements for elections and referendums, with each process having its own unique management structure. Furthermore, electoral responsibilities may be distributed among various bodies at different administrative levels. Some responsibilities, for instance, may be handled by national government agencies, while others might be executed by local commissions, regional branches of government, or local authorities (Wall & IDEA, 2006).

Numerous variations exist in the design of EMBs, with countries employing different models based on their preferences and specific contexts. According to Wall & IDEA (2006), three broad models of electoral management are commonly used: the independent model, the governmental model, and the mixed model (Electoral System, n.d). However, the effectiveness of any EMB largely depends on its level of autonomy from the government (Mozaffar, 2002).

As depicted in Figure 2.1, the independent model of electoral management is adopted by countries where elections are organized and managed by an EMB that operates autonomously from the executive branch of government and manages its own budget. Examples of nations that utilize this model include Kenya, Burkina Faso, Liberia, Mauritius, Nigeria, and South Africa (Duran Alcantara,2019). On the contrary, the governmental model is used by countries where elections are organized and managed by

the executive branch, typically through a ministry such as the Ministry of Interior or local authorities. This model is predominantly found outside Africa and includes countries such as Denmark, New Zealand, Tunisia, and the United Kingdom (for elections but not referendums). The mixed model of electoral management features two components: a supervisory or policy-making EMB that operates independently of the executive and an implementation EMB located within a government department or local authority (Gabie,2019). This model is used in countries like France, Japan, Spain, and several former French colonies in West Africa, such as Mali, Senegal, and Togo (Wall & IDEA, 2006).

Regardless of the model employed, an EMB's fundamental role is to navigate the political environment to conduct elections deemed free, fair, credible, and verifiable, with outcomes accepted as legitimate and unchallenged (Olaniyi, 2017). In conclusion, classifying EMBs into these three broad categories should be considered a basic framework. No model is perfect, as each has its own advantages and disadvantages (Fombad, 2016).

A practical example of the challenges faced by EMBs can be observed in the 2013 parliamentary elections in Albania (Sotiropoulos,2017). After three opposition-nominated members resigned, the Central Election Commission (CEC) was rendered inoperative. This severely affected the CEC's ability to function and disrupted the overall election process (Kahongeh, 2018). First, it created the perception that the CEC was politically biased. Second, the necessary regulations to ensure the transparency of the election were neither adopted nor enforced, leading to questionable practices in the run-up to the election. Most significantly, without a quorum of five members, the CEC could not legally address complaints about the election results or formally declare the outcome, which led to significant delays. As a result, both political camps prematurely declared victory (Kisia, 2022).

In the 2014 Romanian presidential elections, the legal electoral framework only allowed citizens living abroad to vote in person at a Romanian embassy. For the first round of the election on November 2, 2014, the Romanian Foreign Ministry distributed 600,000 ballots to its diplomatic missions. However, there were approximately 3 million eligible voters abroad. This discrepancy resulted in many citizens being unable to vote, which was viewed as a violation of constitutional rights. Some saw the inadequate provision of ballots as an act of election fraud, leading to widespread anger among expatriates and the Romanian public. Protests erupted in Bucharest before the Ministry of Foreign Affairs after the first round of voting (International Crisis Group, 2017).

Similarly, in the 2010 Belarusian presidential election, large-scale protests broke out in Minsk following the official announcement that the incumbent, Aleksandr Lukashenko, had won the election with 79.6% of the vote (Jenkins, 2015). Under Belarusian law, voters cannot challenge election results in the Supreme Court, leaving no legal avenue to address grievances. The absence of a legitimate dispute resolution mechanism fueled the protests, which resulted in numerous injuries and the arrest of 725 people (Heger, 2015).

2.3.2 Regional Overview of Challenges and Opportunities Faced by Electoral Management Bodies in Managing Elections.

A large amount of reformation of policy-making organizations is still required to encourage public participation in the democratic system and the smooth operation of the elections executive committee of the IEBC. There are still opportunities and room for legal and operational reforms in crucial areas like voter registration, the voter register, the commission's efficiency, improving the management of election results, the introduction of verifiable election management technology, civic and voter education, dispute resolution, and regional and stakeholder engagement.

Elklit and Reynolds (2002) claim that election management is one of the biggest difficulties in any African election. This is because partisan interests are present in the institutions in charge of overseeing elections. As a result, they struggle to conduct a free and fair election. Even though the institution has observers, the elections in Kenya are still rigged since no one can be trusted to speak out for the system as a whole.

Lynch (2008) claims that one of the most probable causes of unfair elections is the influence of the candidate with the most support. This is due to the possibility that the current president could request that, despite losing, he or she be declared the victor. This demonstrates African presidents' degree of authoritarianism over the election system. The current presidents find it challenging to agree to step down without inciting political unrest. Despite Kenya's constitution requiring all presidents to serve a maximum of two terms, some nonetheless feel the need to overstay their welcome.

Lack of constitutional powers that protect the electoral institutions: The electoral institutions should always be independent. (Lindberg,2006) This will help them during the political season (Omotola,2011). The members are always from different communities and most of the time, they tend to favour their community's men, making the elections not free and fair. The other challenge they face is the voting system. Most of these systems fail during transmission, making them vulnerable. They sometimes have to switch to the manual voting system because of the failed systems. The government could always ensure the systems are functional before embarking on any national voting process (Lynch, 2008).

According to Lonsdale (1994), most of the political issues Kenya is currently facing began even before the country gained its independence in 1963. Kenya's politics were established on ethnicity, with the majority (in terms of population) opposed against the minority communities (Lonsdale, 1994). Most of Kenya's leading political parties were designed

based on community rather than ideals (Anderson, 2002). For example, during Kenya's transition from a colonial to a democratic state, the two biggest nationalist parties were the Kenya African National Union (KANU) and the Kenya African Democratic Union (KADU). The existing political parties were formed based on tribal dominance (Materu, 2014). At the time, the Gikuyu and the Luo were the two largest communities, and they joined forces to form a political party (KANU) that would help its leaders push their ideologies, i.e. having a Centralist Government (Anderson, 2002). However, leaders from other communities, mainly the Coastal people, the Kalenjin and a majority of the Luhya sub-communities, were fearful of the dominance of the Gikuyu and Luo and wanted Kenya to have a federal government- six autonomous region (therefore formed KADU).

A political alliance based on political interests and tribal domination, however, is weak and prone to dissolution when one side of the unit gains an advantage (such as the presidency). The partnership between Jaramogi Oginga and Jomo Kenyatta in politics lasted until 1966, when Oginga quit Kenya's first vice president and started the Kenya Peoples Union (KPU) (Anderson, 2005). A comparable political coalition, the National Rainbow Coalition (NARC), comprised of the Liberal Democratic Party and the National Alliance Party of Kenya, was established in 2002 to compete effectively with the KANU, which had dominated the nation since independence. The outcome was a landslide victory for Mwai Kibaki, the NARC presidential candidate, over Uhuru Kenyatta, the KANU presidential candidate (Dagne, 2010). It is also crucial to note that even the current political coalition Jubilee—which was created through the union of The National Alliance and United Republican Party—is experiencing divisions among its leaders about who will follow Uhuru Kenyatta as their nominee for president in the 2022 elections.

This indicates that these political alliances are formed through selfish interests and collapse easily (Dagne, 2010).

The roots of ethnic cleansing were also planted before the independence of Kenya. In January 1962, at Lancaster House in London, William Murgor, one of the leaders of the Kalenjin, stated that if Kikuyus were resettled in the Rift Valley, they would forcefully eject them (Hornsby & Throup, 1992). He added that they belong to the Central province and should not be allowed to own land in the Rift Valley through resettlement initiatives. These sentiments were brought about after President Jomo Kenyatta proposed that the former Mau Mau and landless members from the Kikuyu community be resettled in lands that had been vacated by the departing white settlers (Hornsby & Throup, 1992). It is the genesis of most land issues that exist to this day in the Rift Valley region, mainly between the members of the Kalenjin, Masai and Kikuyu communities.

Tribal violence, destruction of property and police shootings, especially targeting the Luo community, were triggered by the assassinations of key Luo leaders. On July 5th 1969, Tom Mboya was shot dead by Nahashon Njenga. This led to protests being witnessed mainly in Kisumu and Homabay (Berman, 1992). In addition, earlier on in January 1969, Argwings Kodhek had died from a mysterious road accident in Nairobi. Other key leaders that have been killed mysteriously are Pio Gama Pinto, John Mwangi Kariuki and Robert Ouko. However, the genesis of election violence in Kenya was in 1969 (Berman, 1992).

As the country was preparing for the showdown between KANU led by Jomo Kenyatta and KPU led by Oginga Odinga, the president traveled to Kisumu for the official opening of the Nyanza Provincial Hospital (Gerhart, 1975). There was a clash between the members of the public and security forces that led to the death of 11 people (who died from police shots) (Berman, 1992). It is alleged that there was tension because of the deaths

of Kodhek and Mboya and it was culminated by Kenyatta's criticism of Jaramogi Odinga, which led to the clash. That year's election took place without Jaramogi and the KPU members as they were banned and a majority of their members detained by the state without being subjected to a trial.

After the death of President Jomo Kenyatta and the succession of Daniel Arap Moi the country experienced a short period of political rapprochement and reconciliation. The political detainees were released, and the president even visited Nyanza province as an act of goodwill (Berman, 1992). However, the new president maintained some of the old practices that had been conducted by Jomo Kenyatta's regime such as denying the members of the KPU group from participating in the 1979 elections. After a failed coup attempt in 1982, Moi began ruling the country with an iron fist. For instance, the country used the single-party system and KANU's political opponents were detained and tortured in the Nyayo House.

Kenya has had post-election unrest in all its general elections (excluding the 2002 general elections). This is despite implementing most of the recommendations provided by international and local observers after every election process. This paper examines how the country's electoral failure has contributed to post-election unrest in Kenya (Dercon & Gutierrez-Romeo, 2012). The main factor that has resulted in violence after general elections in the country has been a weak electoral system. Most citizens have little or no trust in the oversight procedures designed to ensure a democratic election process in the country (Drummond, 2015). This is crucial to note that post-election violence is caused by the following factors: a poor electoral system, the strength of democracy in a country, the main output of major ethnicity or coalition of both the different ethnic groups about power and economic inequality in a country (Solderstrom, 2019). All these four factors exist in

the country, and therefore, to prevent future post-election violence, some, if not all, of these factors have to be resolved (USAID, 2010).

There are no free and fair election processes in a majority of African countries, such as Kenya, because the formal electoral rules are controlled by informal institutions, which increase the stakes of the election. In these countries, politics is dominated by patron-client relationships whereby the political candidates reward their supporters with cash, access to jobs, land, economic empowerment, and infrastructure development (Finkel & Horowitz, 2010). This means that political power results in economic benefits for the politicians, their families, and ethnic kin. There is a need to increase the IEBC's independence and reduce the politicians' power in young democracies. They (the politicians) have much to gain or lose depending on whether they win or lose an election process.

Young democracies with a history of post-election violence include Kenya, Nigeria, the Ivory Coast, Uganda, Mozambique and Zimbabwe. But most African nations, including Namibia, Botswana and Benin, hold their elections peacefully. This study showed how the danger of election-related violence can rise depending on the electoral system. For instance, some nations choose their presidents using a "First Past the Post" system (Gutierrez-Romeo & Le Bas, 2016). This is a majoritarian electoral system in which the voters elect their preferred leaders among the individual politicians. In the United States, a candidate is proclaimed the winner if he or she receives the most votes in a certain constituency. There is also a proportional representation electoral system (Sinnott & Fazzel, 2017). A preferential voting electoral system is also in use. The voters are presented with candidates from the existing political parties. The parties will gain seats in parliament based on the number of candidates who will win elections in the stipulated regions.

Most African countries use a majority-win system to determine the winners of elections, and this system is more likely to result in violence than in countries that have implemented proportional systems. Why is this case? In the majority of systems, they induce a winner-takes-it-all dynamic (Hoglund, 2009). The reason why this leads to violence in African countries, and the same is not experienced in developed countries such as the US, is that their democratic institutions, such as the electoral governing body and the judiciary, are not fully independent. The existence of formal electoral institutions helps in guiding political behaviors and electoral dynamics (Sarah, 2011). The danger of electoral failure is insufficient to inspire any use of aggression in countries with well-established democratic institutions. Such societies accept the mechanisms of democracy; politicians respect the election results even when it makes them feel unhappy; and therefore, a country's democracy is self-enforcing (Mueller, 2011).

The existence of formal electoral institutions helps guide political behaviors and electoral dynamics (UNDP, 2009). The danger of electoral failure is insufficient to inspire the use of aggression in countries with well-established democratic institutions. Such societies accept the mechanisms of democracy, politicians respect the election results even when they make them feel unhappy, and, therefore, a country's democracy is self-enforcing. Horowitz (1993) believes that implementing an electoral system that cannot be easily manipulated is the greatest place to kick start addressing post-election brutality.

This will lead to the election being conducted freely and fairly. It is also important to point out that most of the ethnic coalitions are centered on power greed by a few of the politicians from the main ethnic communities in the country. Therefore, there is a need to reduce the influence of tribalism during elections. It will contribute to fewer incidences of violence as voters will use the manifesto of leaders instead of their surnames to elect a leader. The

country should place a high focus on political debates as they allow the citizens to assess and determine the leadership capability of the political contestants in different positions (Mozaffar, 2003).

2.3.4 Knowledge gap on Challenges and Opportunities faced by Electoral Management Bodies

Electoral management bodies are seen to play a crucial role in ensuring free, fair, and transparent elections. However, they face various challenges and opportunities in discharging their duties. Understanding these challenges and opportunities is essential to strengthen democratic processes and improve electoral management (UNDP, 2009). One significant challenge EMBs face is ensuring the integrity of the electoral process. They must combat voter fraud, electoral manipulation, and other irregularities that threaten the fairness and legitimacy of elections (Wall & Idea, 2006). This necessitates implementing robust voter identification systems, securing the electoral infrastructure, and conducting effective voter education campaigns. EMBs often encounter logistical challenges in organizing elections. This includes voter registration, ballot production, polling station setup, and the recruitment and training of election officials. Overcoming these challenges requires meticulous planning, adequate resources, and efficient coordination among stakeholders involved in the electoral process. EMBs must navigate the complexities of political and legal frameworks. They must interpret and apply electoral laws impartially, ensure compliance with campaign finance regulations, and address disputes and grievances arising during the electoral cycle. Balancing the interests of diverse political parties and maintaining public trust in the process can be demanding tasks (Fombad, 2016).

Despite the challenges, EMBs also have opportunities to enhance their effectiveness and promote democratic values. One such opportunity lies in embracing technology.

Leveraging digital solutions can improve voter registration, facilitate secure and efficient voting processes, and enhance the transparency and accessibility of electoral information. Utilizing electronic result transmission systems can expedite the declaration of results, minimizing post-election tensions (Heger, 2015). Additionally, EMBs can seize the opportunity to engage and involve civil society organizations, domestic and international observers, and citizen election monitoring groups. Collaborating with these stakeholders enhances transparency, accountability, and public trust in the electoral process. It fosters a sense of ownership among citizens and encourages their active participation in shaping democratic outcomes. Furthermore, EMBs can benefit from sharing best practices and experiences with their counterparts from other countries (Gutierrez-Romero & LeBas, 2016). International cooperation and peer learning platforms enable the exchange of knowledge, capacity building, and the adoption of innovative approaches. This helps EMBs to adapt to evolving electoral challenges, strengthen their institutional capacities, and implement reforms that improve electoral management (Gaulme, 2010).

EMBs' challenges in ensuring free and fair elections are significant but not insurmountable. By addressing issues related to integrity, logistics, and legal frameworks while leveraging opportunities offered by technology, collaboration, and knowledge sharing, EMBs can enhance their effectiveness and contribute to consolidating democratic processes (Including Peace, 2015). Strengthening electoral management bodies is crucial to upholding the principles of democracy, promoting political stability, and safeguarding the rights of citizens (Kakuba, 2016; & Mensah, 2014).

2.4 Conceptual Framework

The theoretical framework provides a theoretical perspective and underpinnings of the research study based on existing research theories that help researchers to contextualize

their work, make connections to existing knowledge, and contribute to theory building. The theoretical framework is useful as it provides a theory-driven approach to the current study. It gives the study a well-defined and proven basis for argument. In this study, the theoretical framework addresses variables that demonstrate the impact of electoral management system malpractices and electoral bodies' failure to execute open, competitive, and legitimate elections and their impact on post-election unrest in particularly post-colonial Kenya. The study used three existing theories to explain the relationship between the variables of the electoral management system and post-election conflict in Kenya. The foundation existing research theories on which this study was based are The Consociationalism Theory, voting theory and rationale choice theory.

2.4.1 Consociationalism Theory

Arend Lijphart (1999), a renowned political scientist, first introduced the concept of consociationalism in academic discourse in 1963. Consociationalism refers to the capacity of a nation to maintain a stable democratic government despite deep divisions within its populace. To achieve this, a power-sharing framework is established, typically composed of elites or key members of the various significant social groups present within the nation (Saurugger, 2016). This theory delves into strategies for reconciliation based on societal divisions, often along racial or religious lines. It emphasizes the importance of maintaining a stable government and ensuring that power-sharing arrangements are upheld, that democracy endures, and that conflict and violence are minimized (Nagle, 2016).

A nation characterized by internal divisions, whether racial, religious, or linguistic, is referred to as a consociation state. Despite these divisions, no single ethnic or religious group can form a majority independently (Bogaards, 2000). The stability of such nations is often sustained through consultations between the elites of various social groups.

According to Lijphart (1997), a critical factor in the success of democracies in maintaining stability is the cooperation and agreements among these elites. Their role in negotiating and reaching agreements is significant in determining whether a nation can achieve a democratic state.

Lijphart (1997) outlined several defining characteristics of a consociationalism democracy. One of these is the formation of coalition cabinets, where executive power is shared among various parties, resulting in larger cabinets due to the inclusion of multiple groups. Another important feature is the balance of power between the executive and legislative branches of government. Additionally, consociationalism democracies tend to have decentralized federal governments, where minorities, whether racial or religious, are granted considerable autonomy in creating laws that affect their specific constituencies (Bogaards, 2014). Another significant aspect is proportional representation, which ensures that minorities feel adequately represented within the political system.

The constitutions of consociation states are typically rigid, meaning that any changes to the constitution require the consent of minority groups. There are also elements of direct democracy, where different groups have the power to pass or block legislation. Furthermore, the head of state is usually a neutral figure, often a ceremonial monarch or an indirectly elected president who must renounce political affiliations after assuming office. In cases where referendums are held, minorities often use these opportunities to block laws that may negatively affect them. Another characteristic of consociationalism democracies is parity among cabinet members and an independent central bank, where professionals rather than politicians determine monetary policy.

One of the major advantages of consociationalism is that it ensures that all existing groups, including minorities, are represented politically and economically. Proponents of this

theory argue that it is a viable strategy for addressing conflict in deeply divided societies. In democratic states such as South Africa after Apartheid, the principles of consociationalism have facilitated peaceful and effective transitions.

According to Lijphart (1977), consociationalism heavily relies on a proportional representation (PR) electoral system to create a broadly representative legislature, which forms the foundation for protecting minority interests. Lijphart (1990) expressed a preference for party-list PR systems over single transferable vote (STV) systems, as well as over open-list PR systems and mixed systems that allow voters to cast multiple ballots. He argued that while STV might be more suitable for relatively homogenous societies, list PR is the superior method in plural societies. This is because it: (1) enables the formation of larger electoral districts, increasing proportionality; (2) is less prone to gerrymandering; and (3) is simpler for voters and vote counters, making the process more transparent and less subject to suspicion.

The most compelling arguments in favour of PR stem from how the system avoids the distortions common to plurality-majority systems and facilitates the creation of a more representative legislature. In new democracies, particularly those grappling with deep societal divisions, including all key groups in parliament is often critical for democratic consolidation. When minorities and majorities are excluded from participation in emerging political systems, the consequences can be severe.

In recent transitional elections in countries like Chile (1989), Namibia (1989), Nicaragua (1990), Cambodia (1993), South Africa (1994), Mozambique (1994), and Bosnia (1996), various forms of regional or national list PR were utilized for their foundational elections. Scholars have observed that adopting a proportional rather than a majoritarian system played a crucial role in the successful transitions to democracy in these nations (Lijphart,

1990; Reynolds, 1995). PR has been regarded as a vital tool for creating an inclusive and legitimate post-authoritarian government because it ensures fair representation of all significant political parties in the legislature, regardless of the size or distribution of their support base.

However, list PR systems are often criticized for failing to foster a direct connection between elected representatives and their constituencies, which reduces "geographic accountability." Additionally, in divided societies, list PR systems have been criticized for making it easy for ethnic leaders to be elected solely by members of their own community, thereby perpetuating social divisions within the legislature rather than addressing them. A prime example of the limitations of proportional representation can be seen in post-Dayton Bosnia. While communities in Bosnia are governed proportionally based on their population sizes, politicians can often secure electoral victories solely through the support of their ethnic group, providing little incentive to be tolerant of ethnic differences. The major nationalist parties in Bosnia's 1996 elections garnered nearly all their support from their respective ethnic groups, essentially making the vote an ethnic census (Reynolds & the National Research Council, 1999).

The core principle of consociationalism stresses the need for granting cultural minorities autonomy within their own spheres while decisions on shared interests are made collectively. This approach has drawn criticism for its potential to exacerbate divisions rather than heal them. Indeed, as Lijphart (1990) contended, consociationalism democracy, at least initially, tends to make plural societies more thoroughly plural. The strategy involves clearly recognizing societal divisions and using them as foundational elements of a stable democracy rather than attempting to abolish or weaken them.

Consociationalism is a temporary solution, a lesser evil that maintains stability in a deeply divided society, preventing an imminent breakdown. It is a method that, while not solving all the underlying issues, manages to reduce tensions slightly. One of the strongest criticisms of consociationalism is that institutionalizing divisions and framing politics entirely around these divisions may delay or obstruct the dismantling of segmental barriers. Some of the positive factors Lijphart (1990) identifies for consociationalism appear to reinforce, rather than reduce, these divisions, making it more difficult to move beyond them. The necessity of power sharing among geographically concentrated groups, who often maintain significant autonomy in their local affairs, can lead to a further entrenchment of divisions rather than reducing them. The dilemma remains: How can segmental groups be acknowledged without amplifying their significance? Moreover, there is a particular danger in imposing consociationalism structures on societies where political cleavages are not primarily defined by ethnicity. Nagle (2016) points out that, in certain cases, consociationalism may contribute to deepening these divides, leading to greater fragmentation rather than fostering unity. He argues that in such scenarios, the segmental divisions often follow, rather than precede, consociationalism arrangements, thus creating new challenges instead of resolving existing issues of pluralism.

The principal advantage of consociationalism lies in its capacity to provide potent conflict resolution mechanisms for deeply divided societies that appear incapable of fostering inter-ethnic political cooperation on their own. It serves as the ultimate solution when all other avenues have been exhausted. However, if consociationalism is implemented in pluralistic societies where there is a possibility of ethnic-based voting diminishing over time, it may inadvertently solidify the perception that all politics must revolve around ethnic identities. The system may offer minimal motivation for political leaders to seek support beyond their ethnic constituencies.

However, consociationalism is based on a number of critical assumptions that may not always hold true in societies marked by deep divisions. One of the key assumptions is that ethnic leaders tend to adopt more moderate stances on key sectarian matters than their followers. While this may be true in certain instances, it does not necessarily apply as a universal rule regarding the relationship between ethnic elites and their policy positions on ethnic issues. The theory of voting behaviors somewhat mitigates this assumption. Lastly, the recurring violence that often results from inconclusive or disputed elections can be alleviated by applying the consociationalism theory, as proposed by Lijphart (1969), to establish national stability. Under this framework, a nation would create a system of power-sharing that includes the elites or leaders of the major social groups within the society (Saurugger, 2016). This theory offers strategies for reconciliation based on the division of society along ethnic or religious lines. It places particular emphasis on ensuring governmental stability, preserving any existing power-sharing arrangements, maintaining democracy, and preventing both conflict and violence (Nagle, 2016).

The Consociationalism Theory is highly relevant to the first research objective, as it assists in analyzing Kenya's electoral management system. This theory underscores the importance of power-sharing frameworks and the inclusion of different ethnic, religious, and social groups in political decision-making. In Kenya, examining how the electoral management system has included or excluded various groups can provide important insights into its role in post-election violence. This theoretical framework can help identify whether the mechanisms for power sharing have effectively addressed grievances and prevented conflict or if they have, conversely, intensified tensions that lead to violence.

2.4.2 Voting Theory

The earliest work on voting theory, as outlined by Norris (2013), introduces a novel framework for understanding how electorates select their leaders. A central conflict arises when individuals believe corrupt practices were employed to ensure their preferred candidate did not win. However, this theory raises the question of whether an effective electoral system could guarantee that the same candidate would emerge victorious, even in the presence of factors like a 'spoiler candidate.' In this context, voters would feel more confident that the elected leader is indeed the choice of the majority, thereby reducing the likelihood of conflict.

Voting theory begins by addressing the flaws within current electoral systems. In most democracies, the plurality voting system is the most common method for electing officials (Nurmi, 2010). In this system, registered voters must choose only one candidate for a given electoral position, such as president, legislator, or municipal representative. The candidate who garners the most votes, relative to other contenders, wins the election. However, this system has significant drawbacks, the primary one being the existence of a 'spoiler' candidate. A spoiler is a participant in an election who has little to no chance of winning but enters the race to dilute the vote of another candidate with whom they share popularity within a specific region or ideological stronghold. A notable example occurred during the 2000 U.S. presidential election, where it has been speculated that Ralph Nader played the role of a spoiler, costing Al Gore the presidency. In such cases, voters are forced to make difficult decisions, often splitting their support between similar candidates, which can result in a less popular candidate winning the election.

To address the issue of spoilers, elections could be structured in a way that allows voters to support multiple candidates by ranking them in order of preference (Nurmi, 2018).

Unlike plurality voting, where voters are limited to selecting only one candidate, this preferential system would consider each voter's ranked choices to determine the winner (Arrow, 1963, 1971 & Nash, 1950). As mentioned, in a plurality system, similar candidates competing against each other may unintentionally allow a less favored candidate to win. This problem could be mitigated by allowing voters to express their preferences more nuancedly, thus reducing the chances of an unintended candidate winning the election.

Some democratic states, recognizing the impact of spoiler candidates, have implemented run-off elections. In these systems, if no candidate reaches a certain threshold—typically more than 50% of the vote—the lowest-performing candidates are eliminated, and the top two contenders face off in a subsequent election. However, this approach has its limitations. A highly qualified candidate may still be eliminated if they do not rank among the top two, even in a closely contested election. To resolve such issues, an optimal voting system must be designed.

One potential solution proposed by voting theory is adopting the Condorcet method. This system ensures that the same candidate will win regardless of whether other non-winning candidates participate in the election (Nurmi, 2018). Voters would be asked to rank their preferred candidates, and the rankings would be used to determine the winner. Importantly, the winning candidate may not necessarily have the most first-place votes but would likely be the highest-ranked candidate overall. This system reduces the likelihood of conflict by ensuring that the chosen leader has broad support among the electorate, even if they are not everyone's top choice.

Nurmi (2018) points out that a key advantage of voting theory is that it upholds voters' constitutional rights by ensuring that the majority's choice is reflected in the outcome. When a majority of the electorate participates, it becomes more likely that the winning

candidate is truly representative of the people's preferences. In a country like Kenya, where numerous ethnic communities exist, voters often cast their ballots along tribal lines. Therefore, a candidate who can garner support from multiple communities would stand a greater chance of winning. Voting theory begins by identifying flaws in the electoral system to ensure that elections are both free and fair.

However, Saari (2003) notes a potential downside to this theory: when two major ethnic groups form a coalition, they can marginalize minority groups. This outcome is problematic for countries like Kenya, where prolonged dominance by a coalition of majority groups could result in political oppression. Historically, Kenya has seen its presidency occupied by individuals from only two ethnic communities, the Kalenjin and the Kikuyu. To counteract this, the voting system should be structured to give all communities, especially those from minority groups, a platform to participate in governance and advocate for their rights.

Miller (1977) and others introduced an alternative model, arguing that voting is not merely a personal choice. Instead, voters must consider the broader consequences of their vote, including the various options available to them. This model provides insight into the different voting behaviors observed in general elections compared to by-elections or local elections. The model suggests several factors that influence voting behavior:

First, voters' perceptions of the importance of the election itself may affect their behavior, with general elections often viewed as more critical than local or regional ones. Second, the electoral process in use can shape voter behavior, with different systems (such as first-past-the-post versus proportional representation) leading to different outcomes. Third, voters are more likely to participate in general elections than in local elections, which they may regard as less significant. Fourth, under certain circumstances, voters may cast a

protest or tactical vote to express dissatisfaction with the available candidates or the electoral system. Finally, the election context, including prevailing views on key political issues, can also influence voters' decisions. Voters may support or oppose a party based on how they believe the party will address specific issues.

The voting theory that addresses election-related violence also encompasses factors such as the formation of political parties. To avoid deepening political divisions, political parties should include representation from at least three different ethnic groups. In Kenya's current governance system, candidates who lose an election are not automatically given a formal role, such as opposition leader. This exclusion can lead to feelings of marginalization among certain communities, which can escalate into violence.

Ultimately, these findings align with voting theory (Norris, 2013), which identifies flaws in electoral systems that allow the majority to oppress minority groups. In Kenya, this is reflected in voting patterns that align with tribal affiliations, a practice that has led to the domination of the presidency by only two ethnic communities since independence: the Kikuyu and the Kalenjin. Voting theory offers a potential solution to address the 'winner-take-all' mentality that characterizes Kenya's electoral system, which raises the stakes of elections and increases the risk of post-election violence.

Voting theory is highly relevant when examining the causes and consequences of post-election violence in Kenya, dating back to 1963. By analyzing voting trends, voter preferences, and electoral behaviors, this theory can shed light on the factors that contribute to electoral violence. It can, for instance, illustrate how ethnically-driven voting patterns and polarized political behavior have exacerbated violence in past elections. Additionally, studying shifts in voting patterns over time may provide insights into the

longer-term consequences of such violence, such as eroding trust in the electoral system, deepening polarization, and the potential for recurring violence.

2.4.3 Rational Choice Theory

Cesare Beccaria's work, published in the late 18th century, gave rise to the rational choice theory. Since then, the theory has been developed and broadened to consider additional viewpoints, including deterrence, aggression, and routine activity theory. According to the rational choice theory, each person has a rational side that is able to make consistent decisions (Downs 1957). At the theory's core, rational actors are assumed to make decisions maximizing their utility (Buchanan & Tullock, 2003)

According to the hypothesis, most voters, particularly in newly democratic states, do not have close relationships to the political parties that are now active in those nations (Blais et al., 2015). Politicians view this as "up for grabs" because they are frequently unaligned. Supporters must make a decision regarding which candidate to support based on particular evaluations (Blais et al., 2015). Their voting tendencies are influenced by a party's track record, election platform, prominent party members, and party leaders. The idea that will benefit them and their families, even at the expense of the other groups, seems to guide their judgements (especially if the other groups are various ethnic or religious groupings in a country).

People's perspectives on current concerns vary at various times and throughout various elections. For instance, young parents may consider topics like education and child health care, while the elderly may feel that the pension issue is a significant consideration. As a result, politicians will develop manifestos or ideologies that appeal to particular demographics and help them win elections (Blais et al., 2015). The following criteria must

be met for a topic to be deemed important by voters. This issue needs to be known to the people. Additionally, voters must have an opinion on the current problem. Another prerequisite is that voters must be able to distinguish different parties' positions on the subject. Third, they must be able to turn their preference into action by choosing a party whose viewpoints are similar to their own (Blais et al., 2015).

Additionally, voters must have a position on the present issue. Voters must also be able to put their desires into action by choosing a party whose viewpoints are similar to their own on a certain issue (Blais et al., 2015). This theory, according to Downs (1957), could be helpful in addressing post-election violence. People may not like a political party's platform. The elderly would also be educated on the benefits of voting rather than doing so based on their ethnicity or tribal affiliation. This notion is crucial in a nation like Kenya, where politicians rely on disinformation to win over their opponents. Instead of stating what they believe would have benefited the nation, they can label a neighbourhood as bad.

According to Blais et al. (2015), this notion might not hold true in a new country like Kenya. There is not enough voter education to inform the general public of the significance of electing a visionary leader. The electoral process focuses on our community's citizens (Blais et al., 2015). Kenyans of all educational levels are tribal. The elderly cannot be taught the value of a united nation and peaceful elections.

The rational choice theory is an economic model used to support improved government and advancement. This idea holds that voting is a technique for a voter to maximize the influence of their vote in order to further their own self-interest. According to this argument, voters are like savvy consumers who pick the party with the best selection of policy offerings. The decision is frequently influenced by the party's track record and the traits of the party leader. Rational choice is a theory developed by Anthony Downs in 1957.

He describes political parties as "vote maximizers," trying to pin down key voter preferences before mounding their platforms to suit the needs of the voters. He believes that voters act to maximise their interests; they seek a party's combination of policies that most closely match their unique demands. Downs rejects the idea that socioeconomic class or political affiliations impact voters' decisions, asserting that everyone is only interested in their own interests.

Theorists like Downs have been criticized for ignoring social influence, including those of class, family, ethnicity, and religion, according to Norris (2014). Additionally, they contend that it is reasonable to expect that many voters have already decided how they will cast their ballots before the parties make their platforms known. Additionally, as parties cannot potentially, please everyone, the policies may focus on what is best for society rather than a particular group of voters. The idea also assumes that voters take the time to research the options and then make an informed selection.

Finally, if voter education is used to stop violence after elections, the hypothesis may be very significant. The current political polarization in Kenya, however, would prevent rational choice from being effective in any way because most people would continue to practice politics that are divisive based on ethnic and regional animosity. Finally, Rational choice is applicable in the Kenyan situation in so far as empowering voters to register and vote in elections based on informed choice, informed decision and knowledge of the vision, policies, programs and ideas of the party and its candidates rather than resorting to ethnicity during elections as has been the case in Kenya over the years. It leads that political mobilization is based on poverty ideology, manifesto and programs not ethnicity and social clearances.

Rational choice theory is applicable in assessing the challenges and opportunities faced by Kenya's electoral management system in achieving electoral peace. This theory assumes that individuals act rationally to maximize their interests, and it can help identify the incentives and disincentives that stakeholders face in relation to election processes and outcomes. Understanding the rational calculations of political actors, voters, and other stakeholders can reveal potential challenges in maintaining peace during elections. For example, it can shed light on whether political elites perceive violence as a strategic tool for achieving their goals or whether underlying grievances and frustrations among certain groups drive electoral violence. It can also highlight opportunities for creating institutional reforms or implementing strategies that incentivize peaceful and inclusive electoral processes.

2.5 Conceptual Model

The conceptual framework visually represents the expected relationships and connections between various variables used in this research study: Electoral management system and post-election violence in Kenya. In other words, it typically visualizes how the researcher has viewed and organized the variables of this study, namely the electoral management system and post-electoral violence, and how the researcher has structured a foundation for understanding and analysing complex phenomena. A conceptual framework helps to organize and guide the research or analysis process by outlining the key concepts, relationships, and assumptions that underpin the study. It helps to establish a coherent framework that integrates different aspects and variables, allowing researchers to examine the topic from multiple angles and perspectives. The conceptual framework is useful as it defines the relevant variables in the study and maps out how they relate to each other. It defines the causal relationships and pathways that the research study found based on

understanding the theoretical literature and the existing research. It was used to develop research questions in the study. The conceptual framework also considers the relationship between the variables using different shapes of boxes, lines and arrows to visualize the connections and relationships between the different variables in the study. In this study, there are four variables that the researcher identified for this research: electoral management system (independent variable), challenges and incitement statements (intervening variables) and post-election violence incidents (dependent variable).

In academic research, a conceptual framework serves to clearly establish fundamental concepts, variables, and interconnections within the study. This is achieved by defining key variables such as electoral management practices (e.g., voter registration, ballot counting), post-election violence (e.g., protests, riots), and contextual factors (e.g., historical grievances, ethnic diversity). The conceptual framework further expounds on how electoral management practices are postulated to impact the occurrence and severity of post-election violence, considering elements such as institutional trust, political polarization, and socioeconomic disparities. This is shown in Figure 2.5

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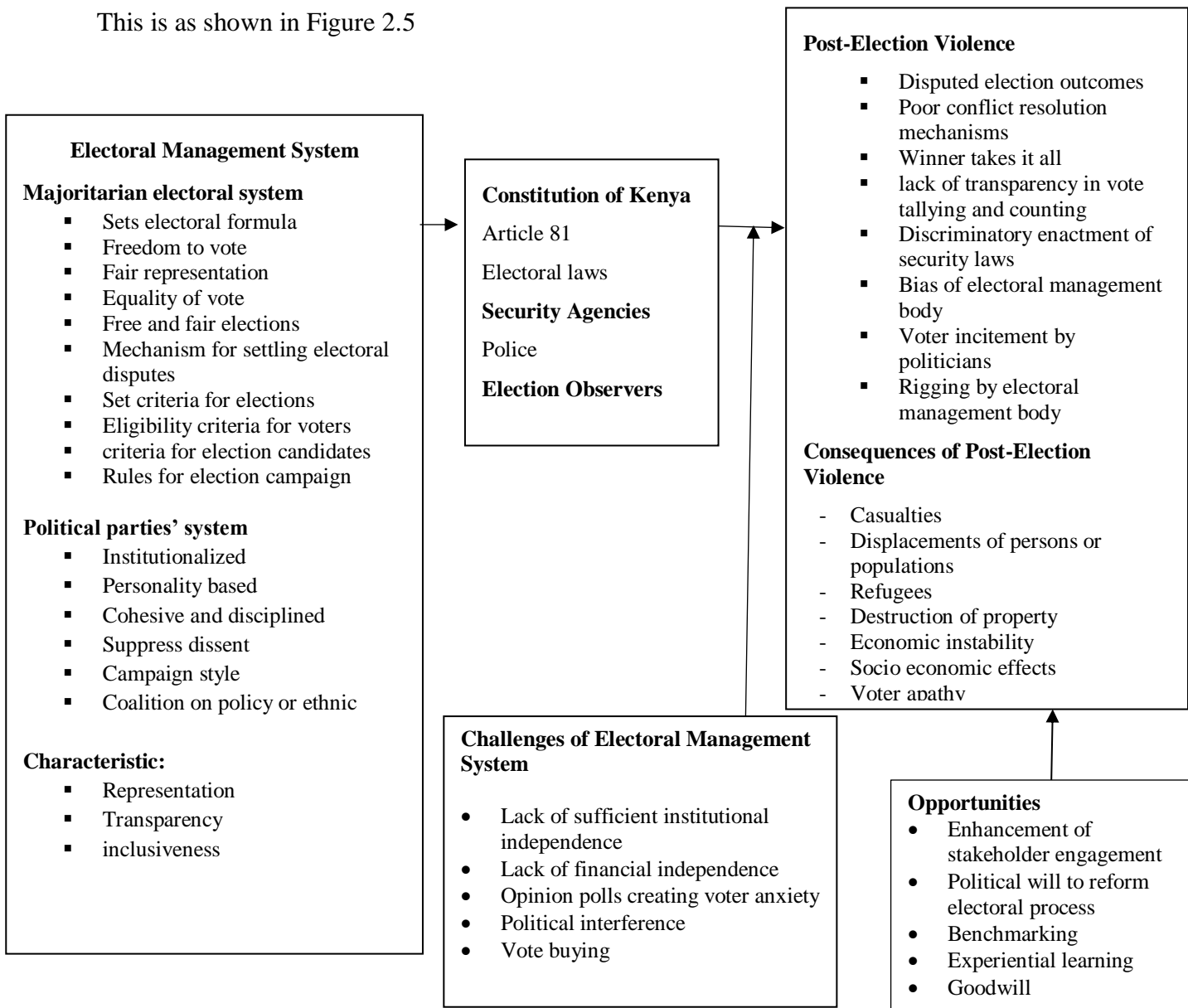


Figure 2. 5: Categories of Electoral Management Models - Providing Visual Representation of the Differences

Source: (Researcher, 2019)

The electoral management system variable is considered independent because its variation is not influenced by the other variables identified in this study. It is also the only variable that, when changed, affects the other dependent variables examined in this research. Whatever electoral management system a country chooses directly impacts the election outcomes and, as a result, the risk of post-election violence (Brown & Raddatz, 2014). Manipulation of election results, lack of trust in the Judiciary to resolve election disputes impartially, lack of trust in election administration, incumbent Government using state resources in political campaigns, manipulating of electoral management systems, procedures and gadgets for intended outcome rather than getting legitimate wishes of the electorate are among the challenges facing Kenya electoral management body. Furthermore, unfair electoral practices, regulations and laws; biased media coverage and tribalism compound the challenges inhibiting credible polls that have yet to be overcome by Kenya's election management body, in Kenya; although Kenya is considered a relatively peaceful country among the young democracies in Africa, it is susceptible to experience violence after every General election (Anderson, 2002). In a majority of the cases, violence is a result of election rigging and other malpractices (Mozaffar, 2003). Therefore, the first hypothesis will be stated as follows:

This research shows that Kenyan politics is not pegged on ideologies but on ethnicity. Powerful politicians, with the exception of a few such as Raila Odinga, are not recognized because of their political contributions but for their ethnic backing (De Smedt, 2009). Leaders are chosen based on the votes they receive from their ethnic strongholds (Apollos, 2005). Governments are formed by ethnic coalitions as is the case at the moment. Jubilee won because of the Kikuyu-Kalenjin alliance, the ethnic groups of the president and vice president, respectively (Lynch, 2014). The role ethnicity plays in politics in Kenya has resulted in hate speech against a particular community and violence being conducted along tribal lines (Orvis, 2001). Politicians in political rallies and campaigns use inciting statements to threaten ‘rival’ communities to vote for them or be susceptible to violent attacks from their communities. Political differences between politicians are usually regarded as tribal differences and it can result in violence after elections (Sisk, 2008).

Violence is synonymous to elections in Kenya. With the exception of 2002, there have been reported violent incidents after every general election since 1992, when Kenya became a democratic state. Every presidential election since 1992, with the exception of 2002, has resulted in a dispute about the results, which has culminated in violent confrontations in various parts of the country. The majority of the impacted regions are mostly opposition strongholds, with incidences of police brutality and extra-judicial killings documented with little or no punishment taken against the culprits (Shilalalo, 2013).

2.6 Chapter Summary

The studied literature focused on worldwide election systems, whereas this study intended to determine the nature of Kenya’s election system from 1963 to the present. This is due to a misunderstanding over whether the election system is to blame for post-election

violence. Various theories have also been employed to analyze the electoral system and its relationship to post-election violence. Therefore, the literature review gives an overview of how different scholars agree or differ with the research question. The next chapter reviews the study methodology.

CHAPTER THREE

RESEARCH METHODOLOGY

The research approach and methodology used in the study are described in detail throughout the chapter. The chapter opens with a summary of the research subject and research design. The chapter also discusses the target demographic, the researchers involved, and the sample size used. It specifies the procedure for calculating sample size and how data (data) was organized. It also describes the expected limitations and how they were addressed.

In summary, these choices are tailored to ensure the study is rigorous, comprehensive and capable of generating insights that can inform interventions to mitigate post-election violence in Kenya and similar contexts. In the context of our research study objectives, it is essential to carefully consider the research methodology, design, study population, sample size, and data collection methods. These choices should align with our research objectives and the nature of our study. Given the complexity of studying post-election violence, our research would benefit from a mixed-methods approach (Chukwuemeka,2024). This combines quantitative analysis to identify patterns and correlations and qualitative methods to explore contextual nuances and perceptions (Poll the People, n.d.) Such an approach allows for a comprehensive understanding of the phenomenon (Akrou et al.,2024). Furthermore, considering the longitudinal or comparative research designs would be appropriate. These designs facilitate the analysis of trends and variations in post-election violence in relation to different electoral management practices, which aligns with our study's objectives. (Levine,2023) Our study population should include various stakeholders such as electoral officials, political parties, civil society organizations, and community members affected by post-election violence.

This broad inclusion ensures a diverse perspective on electoral processes and their impact, which is crucial for our research.

Balancing statistical power with feasibility in determining the sample size is important. Sampling methods such as stratified sampling, considering factors like geographical diversity and population density, would enhance the representativeness of our findings (PMC Public Health, n.d.) Regarding data collection methods, employing surveys, interviews, focus groups, and document analysis would allow us to gather both quantitative and qualitative data, providing a comprehensive view of electoral processes and their outcomes. These choices are justified by their ability to address our research question effectively and provide robust insights into the correlation between electoral management systems and post-election violence in Kenya (Chukwuemeka,2024). Our study aims to contribute valuable knowledge to academic discourse and practical policymaking by establishing a clear conceptual framework and adopting appropriate methodologies and data collection methods to foster political stability and reduce conflict in Kenya's democratic processes. Finally, it discusses important ethical considerations in conducting research and ends with a chapter summary.

3.1. Research Design

According to Cooper and Schindler (2014), research design outlines a research procedure. It is essential for research since it gives readers a framework for understanding the study's methodology, sample selection strategy, data collection tools, and research procedures. According to Cox and Hassard (2010), research design is the proper framework for carrying out the qualitative approach; on the other hand, it encourages a deeper understanding and justification of this investigation. It is significant to remember that quantitative and qualitative approaches can be used to validate the outcomes. Using quantitative and qualitative research methods is appropriate and suitable for studying the

correlation between the electoral management system and post-election violence in Kenya since independence.

In the context of the research study objectives, it is critical to comprehend the intricacies of descriptive research. Unlike experimental research, which involves manipulating variables, descriptive research systematically and accurately describes a population, situation, or phenomenon without controlling variables. It focuses on answering what, where, when, and how questions instead of why questions within a particular area of research. The current study chose a descriptive research design to meet the research objectives. This approach involved gathering data from primary and secondary sources, analysing the collected information, and synthesizing the data to understand the subject matter comprehensively. This model successfully facilitated the collection and analysis of extensive and in-depth data, crucial in evaluating the research goals and addressing the questions posed. Employing descriptive research methodology was justified by its ability to provide valuable insights and comprehensive explanations relevant to the study's topic. In the context of our research study objectives, it is imperative to justify the choices made in the research methodology. A comprehensive understanding of the subject is essential, achieved through quantitative and qualitative research. (World Population Review, 2024). Quantitative research provides statistical data and numerical patterns, aiding in quantifying the correlation between variables, such as electoral management practices and violence incidents. On the other hand, qualitative research offers in-depth insights into the context, motivations, and underlying factors, allowing for a better understanding of the complexity of electoral processes and violence beyond mere numbers.

Furthermore, the complementarity of both methods is crucial. While quantitative research examines large samples to identify trends and test hypotheses, qualitative research explores individual experiences, perceptions, and social dynamics. This complementary

nature is especially important in capturing the richness and complexity of electoral behaviour and violence. It should be noted that while quantitative research may miss contextual nuances, qualitative research fills this gap by capturing cultural, historical, and social factors that influence electoral behaviour and violence. Conversely, while providing rich context, qualitative research lacks generalizability, which can be addressed by validating or refuting qualitative findings with quantitative data. By adopting a mixed method approach, both data types can be triangulated to cross-validate findings. This is critical in drawing robust conclusions for our research study. Finally, the recommendations and policy implications of these research methodologies are equally important. While quantitative data can inform policy decisions, qualitative insights guide implementation strategies, thus playing a vital role in the real-world applications of our research study.

In summary, quantitative and qualitative methods provide a holistic view of the correlation between electoral management systems and post-election violence, enhancing the depth and breadth of understanding.

3.2. Study Area

Kenya served as the site of this study. Kenya is one of the strategically important nations in the eastern horn of Africa. The 2007 Kenyan election violence outbreak was regarded as a stunning and devastating occurrence. Many people were shocked by the violence following the disputed presidential election results because Kenya had long been regarded as an East African nation that was largely stable and peaceful (Sisk, 2008).

The geographical areas of study the researcher focused on are Nairobi, Kisumu, Uasin Gishu, Nakuru and Mombasa Counties. The reason why the five study areas were selected is that it is widely reported in the empirical literature that these are the areas regarded as post-election violence 'hot spots and epic centers through the years (Chege, 2008; Nyabola, 2018; KRCS, 2017; UNHCR, 2022). The researcher sought to determine why

these regions are very vulnerable to violence. The research was also carried out in two marginalized areas- Marsabit and Baringo counties to understand the challenges these regions experience during the voting process, how they feel about the current electoral management system and what should be changed. The geographical study areas are shown in Figure 3.1.

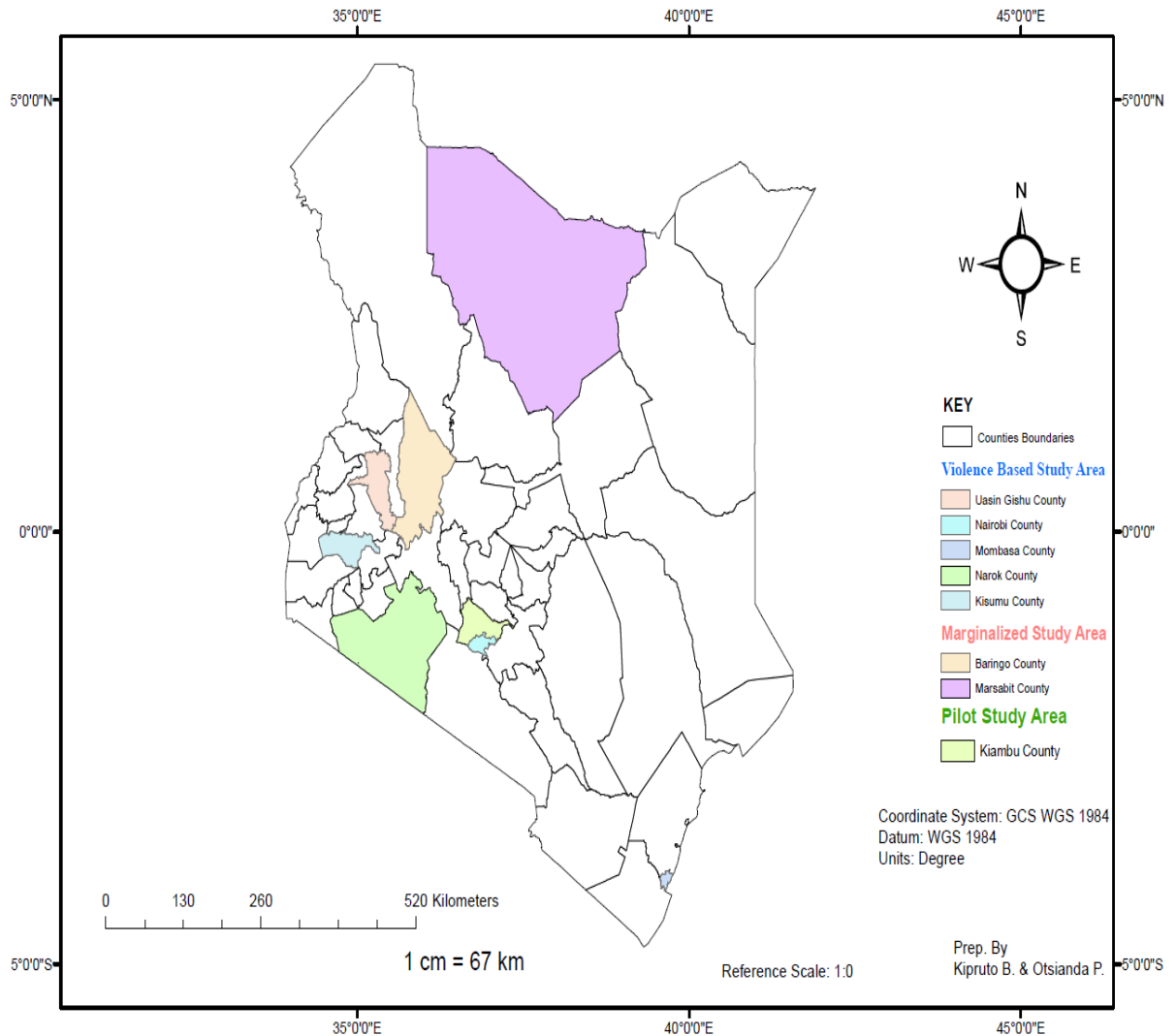


Figure 3. 1: Map of the Study Area

Source: (Kipruto B. & Otsianda P; Geomatics MMUST, 2021)

Nairobi, Kenya's largest city's capital, is the nation's power Centre. It is situated in the south-central highlands of the country at an elevation of approximately 5,500 feet (1,680

meters). As the capital city, Nairobi has drawn people from all parts of Kenya and other countries, making it a melting pot of diverse cultures and ethnicities. Due to this cosmopolitan nature, it was considered necessary to include Nairobi in this study to assess whether its diversity mitigates or exacerbates primordial political attitudes and behaviors (Harrell & Stole, 2010). Beyond being the political hub, Nairobi is Kenya's primary industrial and manufacturing Centre. According to the 2019 national census, Nairobi had a population of 4,397,073, with a population density of 6,317.6 people per square kilometers (16,363/sq. mile). By 2021, the population was projected to rise to 4,734,881.

In 1950, Nairobi's population stood at 137,456. The city has experienced significant growth, adding 821,369 people since 2015, reflecting an annual growth rate of 3.88%. These population figures and projections are based on the most recent updates from the UN's World Urbanization Prospects. The figures account for Nairobi's urban agglomeration, which typically includes not only the population within the city but also those in neighbouring suburban areas (United Nations, n.d.)

Kisumu, the capital of Kisumu County, is the largest city in the Nyanza region of Kenya. According to the 2019 Kenya National Census, the city has a population of 599,468. Kisumu is not only a political hub of western Kenya but also a vital Centre for commerce, positioned strategically on the shores of Lake Victoria. The city is predominantly inhabited by the Luo, Kisii, and Luhya ethnic groups, with its borders extending to western Kenya, the Rift Valley, Tanzania, and Lake Victoria. Due to its prime location along Africa's largest lake, Kisumu has historically thrived as a fishing and fish processing hub. (Tokyo Foundation, n.d.) However, despite this geographical advantage, the central government has long held control over key economic concessions, which has limited local economic

growth and left many inhabitants underdeveloped. In addition to fishing, the primary industries in Kisumu County include sugarcane and rice farming.

Uasin Gishu County is located in the central part of Kenya's Rift Valley and covers an area of 3,345.2 square kilometers. Geographically, it lies between longitudes 34 degrees 50' east and 35 degrees 37' west, and latitudes 0 degrees 03' south and 0 degrees 55' north. With an estimated population of 894,179, about 31% resides in urban areas, translating to a population density of 267 people per square kilometers. Approximately 56% of Uasin Gishu's population, or around 550,000 people, are employed, predominantly in agriculture. The region is well-known for being one of Kenya's breadbaskets, producing staple crops like wheat, maize, and horticultural products. The remaining 44% of the population relies on non-agricultural means of livelihood. The county's landscape gradually slopes from an elevation of 2,700 meters above sea level down to about 1,500 meters, creating a highland plateau. All rivers in Uasin Gishu flow into Lake Victoria, as the region is part of the lake's catchment area.

Nakuru County, with a total area of 7,496.5 square kilometers, is renowned for its fertile agricultural land and various tourist attractions such as craters and lakes. It is bordered by seven other counties: Laikipia to the north, Kericho to the west, Narok and Kajiado to the south, Baringo to the north, Nyandarua to the east, and Bomet to the west. Nakuru is a cosmopolitan county with residents representing all of Kenya's major ethnic groups. As both an agricultural and industrial town, Nakuru has played a pivotal role in Kenya's economy. However, empirical research has shown that Nakuru has been particularly vulnerable to post-election violence, often exacerbated by its diverse population and political tensions.

Mombasa County, located on Kenya's southeastern coast, is one of five counties along the Indian Ocean. It is the smallest county in Kenya, covering just 229.7 square kilometers of land and 65 square kilometers of water. With a population of 939,370, Mombasa's urban center serves as a major port city, a thriving tourist destination, and a key industrial hub. Mombasa was chosen for this study not only because of its economic significance but also due to its cosmopolitan nature as Kenya's second-largest city. Its unique blend of cultures and its position as a coastal city make it an ideal area to study the interplay of cosmopolitanism and political behavior.

3.3. Study Population

According to Cooper and Schindler (2014), a population is a collection of all the factors a researcher wants to examine. The target population for the study was 641,396, including 641,206 voters, 50 politicians, 60 political analysts, 40 IEBC officials, 10 representatives of the humanitarian aid agencies, 5 local observers, 5 international observers, 10 security personnel, and 10 county administrators. Willing participants received questionnaires with pertinent questions for the country's residents who are qualified to vote.

Politicians, members of the IEBC, political analysts, humanitarian Aid Agency officials, local and international observers, security agents and members of county administration, and PEV victims were subjected to one-on-one interviews.

The justification for including the participants is as follows: Including citizens in the study allows for collecting their perspectives and experiences related to electoral management systems and post-election violence (BOL, News.,2009). Their insights can provide valuable information on the impact of these systems on society and their perceptions of violence after elections. Politicians play a central role in the electoral process and deeply understand electoral management systems. Their participation in the study shed light on

their experiences, motivations, and actions during elections. They provided insights into the influence of electoral management systems on their behavior and the potential links to post-election violence.

The inclusion of IEBC as the institution responsible for managing elections in Kenya is crucial. IEBC officials provided insights into the challenges they face, the effectiveness of electoral management systems, and any observed connections between these systems and post-election violence. Former councilors/MCAs have first-hand experience in local governance structures and electoral processes. They provided valuable insights into the functioning of local governments, electoral management systems, and any observed connections to post-election violence at the community level.

Political experts and journalists have in-depth knowledge of the political landscape, and they provide analytical perspectives on electoral management systems and post-election violence. They offered insights into the historical context, underlying factors and potential solutions related to these issues. Humanitarian aid agencies like the Kenya Red Cross have country-wide outreach, especially in the targeted study areas of Nairobi, Mombasa, Nakuru, Kisumu and Uasin Gishu. Kenya Red Cross often becomes involved in situations of post-election violence, providing assistance and support to affected communities. Their perspectives offered insights into the consequences of such violence and the potential links to electoral management systems.

Observers play a crucial role in monitoring elections and ensuring transparency and fairness. Their perspectives provided valuable insights into the strengths and weaknesses of electoral management systems and any observed correlations between these systems and post-election violence. Security agents, such as the police and other law enforcement agencies, are responsible for maintaining law and order during elections and addressing any incidents of violence. Their experiences and perspectives can contribute to

understanding the dynamics between electoral management systems, security measures, and post-election violence. County administration officials are involved in implementing government policies at the local level. Their perspectives provided insights into the role of local governance structures, electoral management systems, and potential links to post-election violence within specific counties. Lastly, the victims of post-election violence have the real feeling and experience of the violence. Their inclusion was very necessary. The study focused on two counties affected by the electoral administration body's failure to ensure fair elections in Kenya and five counties disproportionately impacted by post-election violence. Data from all counties would allow for a better understanding of each area's views on the electoral process. Some counties may have produced candidates who did not win, leading to conflict, while others felt the elections were free and fair when their candidate won. This helped provide an overview of why people in this region consistently engage in conflict during and after elections.

The study included adults aged 18 and above, as this is the legal voting age in Kenya. Participants were able to share their views on what drives them to engage in election-related conflict. This also ensured that the information collected came from individuals capable of making sound judgments. Both male and female participants were involved, ensuring no gender bias in the research, with an equal number of samples from both sexes (Eid,2016) Additionally, the study included participants from all ethnic groups, with an equal number of people from each group, to ensure that the data was accurate and not skewed toward any specific ethnic group.

3.4. Sampling Strategy

According to Saunders et al. (2009), a sampling design is a method researchers use to choose a subset of a population to be included in a study. It serves as a framework for the

researcher to choose how study samples will be chosen from the chosen study population. Only the subgroups used in this study contain all of the characteristics needed to achieve the goals for the research that were defined at the outset of the investigations, according to the researcher, who ensured this. Citizens were chosen as research participants; they had to be naturalized citizens of the country, have a voter ID card (proof they voted or intend to vote) and have contested any electable position in the country (for the leaders). The criteria used was what they would have vie for any electable political contestable position in the country post-colonial Kenya. Members of IEBC were selected political experts/journalists were selected based on the criteria of being current or past officials of the Kenya Electoral Commission and political analysts with an interest in political affairs of Kenya since 1963, especially electoral affairs. Humanitarian aid agency officials were selected on the criteria of being current or past officials of the Kenya Red Cross. Local and international observers were selected to be accredited observers in the Kenyan election as part of local and international observers' missions. Finally, security agents and members of the county administration domiciled in the Ministry of Interior and Coordination Affairs in the office of the President of the Republic of Kenya are currently based in the study areas.

3.4.1. Sampling Technique

The counties of Nairobi, Mombasa, Nakuru, Kisumu, and Uasin Gishu—counties often regarded as the epicentres of post-election violence—were the sites of the study (Report of the Judicial Commission That Inquired into Kenyan Tribal Conflicts,199).

One of the two sampling techniques was used to choose the study's participants. Participants were subjected to an interactive review using a judgmental or purposive sampling strategy. The fact that they were chosen based on the researcher's assessment of their accessibility and availability to the researcher is the reason why this approach was

thought to be appropriate for these research participants. The research subjects considered for this study are those with the relevant training and expertise the researcher seeks. On the other hand, a random sample procedure was utilized for the respondents who had to fill out the questionnaire. It is the perfect selection strategy since it gives any citizen who meets the requirements an equal chance of being chosen to take part in the study.

3.4.2. Sample Size

According to Cooper and Schindler (2014), the sample size is the number of responders drawn carefully from the target population to reflect the population. The sample size helps a researcher get reliable findings regarding the previously developed study objectives. The administrative units were the constituencies in Nairobi County, Kisumu County, Nakuru County, Uasin Gishu County and Mombasa County, where two constituencies were selected from each county. Nairobi County (Kibra and Mathare), Kisumu County (Kisumu Central and Kisumu East), Nakuru County (Nakuru West and Naivasha), Uasin Gishu County (Kapseret and Eldoret East), Mombasa County (Kisauni and Likoni). The sampling frame was 641206 voters, 50 politicians, 60 political analysts, 40 IEBC officials, 10 representatives of the humanitarian aid agencies, 5 local observers, 5 international observers, 10 security personnel, and 10 county administrators. Hence, the sample size for the study was computed using Nassiuma (2000), as illustrated below:

$$n = \frac{N (cv^2)}{cv^2 + (N-1) e^2}$$

Where n sample size

N = population (641,396)

cv = Coefficient of variation (0.424)

e = tolerance (0.02)

$$n = \frac{\{(641396 (0.424^2))\}}{\{(0.424^2 + (641396-1) * 0.02^2)\}} = 450.$$

From the formula, the sample size was 450. The sample size included politicians (including county governors and MPs), political analysts, I.E.B.C. officials, representatives of humanitarian aid organizations, local and international observers, security personnel, and voters. In this research study, the sample size was 450 participants (50 politicians' former councilors/MCAs), 60 political analysts, 40 IEBC officials and 260 voters, 10 Humanitarian Aid Agency officials, 10 local and international observers, 10 security agents and 10 members of county administration. The 450 research study participants were considered an ideal size for the interview process and allowed the researcher to organize an effective schedule. 50 politicians, 60 political analysts, 40 IEBC officials, 260 voters, 10 representatives of the humanitarian aid agencies, 5 local observers, 5 international observers, 10 security personnel, and 10 county administrators were specifically chosen for the study's sample. The selected counties—Nairobi, Kisumu, Uasin Gishu, Nakuru, and Mombasa—are all affected by this. Table 3.1 displays the sample size.

Table 3. 1: Sample Size

County		Voters	Politicians	Political Analyst	IEBC	Humanitarian Aid Agency	Local observers	International observers	Security agents	MCA	Total
Nairobi County	Kibra	26	5	6	4	1	1	1	1	1	90
	Mathare	26	5	6	4	1			1	1	
Kisumu County	Kisumu Central	26	5	6	4	1	1	1	1	1	90
	Kisumu East	26	5	6	4	1			1	1	
Nakuru County	Nakuru West	26	5	6	4	1	1	1	1	1	90
	Naivasha	26	5	6	4	1			1	1	
Uasin Gishu County	Kapseret	26	5	6	4	1	1	1	1	1	90
	Eldoret East	26	5	6	4	1			1	1	
Mombasa County	Kisauni	26	5	6	4	1	1	1	1	1	90
	Likoni	26	5	6	4	1			1	1	
Total		260	50	60	40	10	5	5	10	10	450

Source: (Researcher, 2022)

The study purposively sampled 50 politicians, 60 political analysts, 40 IEBC officials, 260 voters, 10 humanitarian aid agency officials, 5 local election observers, 5 international election observers, 10 security agents and 10 members of the county administration. The sample size constituted at least 10% of the study population, and this was considered a reasonable research sample in a purposive research design in line with Kathuri and Pals (1993), Kothari (2004), and Neuman (2011). This was done across the selected counties of study: Nairobi, Kisumu, Mombasa, Nakuru and Uasin Gishu. A further benefit of having 450 participants is that it gives the researcher some leeway in case some fail to appear for

the interview process (Qu & Dumay, 2011). On the other hand, the researcher utilized the formula below to get the appropriate sample size for quantitative methodology:

$$N_o = Z^2 * Q^2 / e^2$$

$$N_o = Z^2$$

N_o =sample size

Z =value of Z in a normal distribution curve

E =level of precision

Q^2 =variance of an attribute in the population

$$Z=1.64$$

$$Q^2=9.65$$

$$e=1$$

$$1.64^2 * 9.65 / 1^2 = 450.46 = 450 \text{ (as it involves people)}$$

3.5. Data Collection Methods and Instruments

The study attempted to answer the aims and research questions about the relationship between the electoral management system and post-election violence in Kenya since 1963 by relying primarily on primary data. Additional secondary data were employed when appropriate to supplement the study's conclusions. In practise, the study's data base was derived from two main sources: field survey questionnaires and interviews, as well as published information and records. A standard interview schedule, which is included in the appendix, was used to gather information from the 260 registered voters in person. To completely capture the respondent's opinions and impressions in relation to the research study's overall purpose and research questions, the majority of the questions were both closed-ended and open-ended.

Guidelines for the questionnaire and interview questions were used in the research investigation. To achieve the necessary coverage of the areas of inquiry and comparability

of information between respondents through probing, semi-structured interviews were utilised. The in-depth interview provided the researcher with an opportunity to speak with the respondent personally, which improved their election performance (appendices 3,4,5,6,7, and 8). Open ended questions were utilised to collect data using a questionnaire guide (see appendix 2), and the goal was to get precise information as soon as possible. Because they are simpler to interpret, less expensive, and provide greater anonymity, questionnaires were also used as needed. The survey asked on unrelated topics and lacked any bias. The study's nonverbal cues, such as the informants' displays of resentment, were also recorded using the observational approach.

A standardised interview schedule, as detailed in Appendices 3, 4, 5, 6, 7 and 8, was created to ensure consistency in the data collection process. It was used to gather information from 50 politicians, 60 political analysts, 40 IEBC officials, 10 representatives of humanitarian aid organisations, 5 local and 10 international election observers, 10 security agents, and 10 county administration staff members.

The question was open-ended to fully extract the respondent's opinions and impressions regarding the general purpose of the research study and the specific research issue. Note-taking was used to ensure that no information would be missed due to forgetfulness and/or other types of omission. Additionally, the overall method allowed for deeper probing of responses to elicit more clarification. Face-to-face interviews allowed the interviewer to record instances of evasive responses and refusal to provide answers, which are themselves study findings related to the dependability and validity of the data collected.

To supplement the information gathered through questionnaires and interviews, secondary sources of data, such as pertinent reports, theses, dissertations, books, journals, and manuals, as well as the various electoral policies governing the general election process, political campaigns, voting laws enacted in parliament, and other government policy

instruments, were also used. The study used both quantitative and qualitative methods to use each approach's strengths, particularly in deciphering primary data and boosting the validity and reliability of the data.

Field research was one of the strategies used to obtain the data (Otieno, C. Ochieng, P., Matanga. K.& Iteyo (.2023) Questionnaires and interviews were the two main ways data were gathered. Voters were asked to complete questionnaires and political analysts, I.E.B.C. officials, representatives of humanitarian aid organizations, local and international observers, security personnel, and county administrative staff were given interview guides. It suggests that the researcher exclusively looked at primary data sources. The justification for this was that the researcher was only interested in the information the study participants provided, whether through the questionnaire they were required to complete owing to COVID-19 restrictions, via email, or during the Zoom interview processes he conducted. The information and insights they offered allowed the researcher to generate fresh data that can be utilized or explored further in subsequent studies.

A questionnaire is a collection of open-ended or closed-ended questions to which respondents must respond with pertinent information. Conversely, interviews involve having in-person discussions with the respondents. A formal questionnaire was used throughout the process. Respondents were questioned about their gender, age, and other details in segment A of the questionnaire. The electoral management system and its impact on post-election violence were the main topics of Part B. Part D focused on the opportunities and challenges the Kenyan electoral management system faces in organizing, conducting, and managing elections in Kenya. Part C focused on the causes and effects of post-election violence. The interview method employed semi-structured questions. The interviewer had a direction from the questions, but he was also free to probe further into the interviewees' responses based on their responses.

The questionnaire and interview results were expected to show the deficiencies of the democratic process, as well as how they believe it has adversely affected the answers of the various questions. The researcher hoped that the interviewees would talk about the influence of tribalism and its effect on the electoral system such as: even when a more effective electoral system is developed, it still had to be monitored and controlled by human beings and Kenyans as such. Therefore, there was need to have a framework that keeps them in check and ensures that their actions are not inspired by selfish or tribal biases. The counties believed to be the epicenters of the post-election violence were Nairobi, Mombasa, Nakuru, Kisumu, and Uasin Gishu, where the study was conducted (Report of the judicial commission charged with investigating Kenya's tribal fighting, 1998)

3.5.1. Sources of Data

It draws attention to the credibility of the data that the researcher utilized to discuss the role of voting in the incidence of post-election unrest in Kenya. The researcher employed primary and secondary sources as the two main data sources. The research team used the libraries at Jomo Kenyatta University of Science and Technology and Masinde Muliro University of Science and Technology to get the needed information. Reports from the World Bank, the United Nations, and the Government of Kenya provided more information. (KISE, n.d; Minja, 2016)

Primary Source

This is the data or information that the researcher collected first hand from the sources (research participants). This type of information has not yet been released. Furthermore, as it has not been altered, it is deemed accurate, credible and unbiased. In this study, primary data was collected using questionnaires and interviews. The researcher mainly used data from primary resources, i.e., by distributing questionnaires to voters and conducting interviews with IEBC officials, politicians and political analysts, Humanitarian

Aid Agency officials, local and international observers, security agents and members of county administration.

The researcher wanted to identify the reasons why voters resort to violence after every general election and not use other means, such as the judiciary, to resolve whatever governance grievance they may have about the outcome of presidential elections. From the politicians, the researcher wanted to know why, despite some of them having little faith in the current electoral system, they still submit their names for voting purposes and what can be done to improve the current electoral system. From the IEBC officials, the researcher wanted to know the measures they have implemented to address election malpractices. Finally, from the political analysts, humanitarian Aid Agency officials, local and international observers, security agents and members of county administration, the researcher wanted to get a professional opinion on steps that can be taken to improve the current electoral management system.

Secondary Sources

This information has already been gathered by earlier researchers; thus, it is easily accessible. It can be found in a multitude of places, including published works of literature, electronic databases, and even movies. Journals, newspapers, published electronic sources, and films that were used in this study's literature evaluation were all found in the libraries of Masinde Muliro University of Science and Technology and Jomo Kenyatta University of Science and Technology. Reports from the World Bank, the United Nations, and the Government of Kenya provided more information.

3.6. Validity and Reliability

Validity is the extent to which findings from data analysis accurately reflect the phenomenon being studied. It has to do with how closely the study's data on the study's variables reflect those factors (Mugenda, 2009). At the School of Disaster Management

and Humanitarian Assistance at Masinde Muliro University of Science and Technology, content validity was used in this study with the help and input of the researcher's supervisors and other research specialists. Compared to the study's overarching goal and specific research questions, the content of the research tools was evaluated for relevance. Following consultation, the expert's recommendations were used to enhance the accuracy of the questions by making them more understandable.

According to Neuman (2011), reliability gauges how well a research tool produces consistent data after numerous trials. In Kiambu County, reliability was evaluated during the piloting phase. According to Kothari (2013), the researcher justified utilising 10% of the sample. Thus, for the Pilot study, randomly chosen participants included five members of parliament, six political analysts, representatives of the IEBC, 26 voters, a representative of a humanitarian aid organisation, a local election observer, an international election observer, a security agent, and a member of the county administration. The research aimed to determine whether the arrangement of the interview questions would have offended the responder.

The pilot's test was carried out in Kiambu County. Kiambu County was chosen because it is a sizable, multi-ethnic, cosmopolitan county with various commercial, industrial, and economic enterprises. Kiambu is also a hotbed of politics, given that the county produced Kenya's first president. Additionally, due to its proximity to Nairobi, it is impacted or influenced by any political upheavals or undercurrents. As a result, Kiambu County's history, industrial, economic, and political dynamics and situations closely resemble those of Nairobi, Mombasa, Kisumu, Nakuru, and Uasin Gishu. Based on the comments given by participants in the pilot project, the interview questions and questionnaire were modified as a result.

In conclusion, the researcher used the findings from the pilot study to assess if the obtained information was accurate and whether the questionnaire's set-up questions had the intended effect of achieving the general objective and specific research questions. The pilot study served as a tool for revising the research tools. The test-retest method was utilised by the researcher to determine reliability. Transcripts were checked to prevent glaring errors.

3.6.1 Piloting of the Research Instrument

The research instrument underwent testing. According to Kothari (2013), the researcher justified utilizing 10% of the sample size. In order to conduct the study, 30 randomly chosen voters, 6 political analysts, 4 I.E.B.C. officials, and 5 members of parliament were all chosen. It was intended to determine whether interview questions—which differ for politicians, political experts, and IEBC officials, as well as for representatives of humanitarian aid organizations, local and international observers, security personnel, and county administration—could offend the respondents. The pilot was run in the county of Kiambu. The outcome was fairly favorable after some small changes. Based on comments from candidates, the pilot research assisted in validating and modifying the interview guide and questionnaire.

Piloting of the research study instrument results aided in modifying interview questions and questionnaires depending on the feedback supplied by recruits. This was done using validity and reliability. Kothari [2013] affirms that Validity is the ability of the survey tool to measure what it was designed to assess properly. The researcher made sure that the information-gathering techniques and tools are recognized as trustworthy, and this is assessed by whether they may be applied in subsequent studies with comparable goals to obtain comparable results. A factor analysis test is typically run to assess the reliability of a research tool. Construct, content, and predictive validity are the three types of validity,

according to Fajun et al. Construct validity was used in this study because it may assess whether the constructed instrument closely matches the variables it is intended to evaluate. In the realm of research methodology, a pilot study, also referred to as a feasibility study, represents a crucial preliminary inquiry conducted on a small scale before the main research commences. Its primary objective is to evaluate the research design's viability and identify potential issues that could arise during the full-scale investigation. Pilot studies serve two key purposes: Firstly, they assess the practicality and viability of the chosen research methods, procedures, and resources. This process involves a thorough feasibility check to ensure the selected approaches are workable in the study context. Secondly, pilot studies allow researchers to detect any ambiguities, confusion, or problems within the study design before the full-scale research, thus offering an opportunity for design improvement. The process of conducting a pilot study starts with carefully selecting a small group of participants, akin to the target population, on whom the study is tested. This step is crucial in identifying any flaws in procedures, task difficulty, or information provided to participants.

Additionally, pilot studies enable researchers to predict an appropriate sample size, allocate resources, and further refine the study design. However, it is important to note that pilot studies are not to be used for hypothesis testing, as their primary role is to evaluate feasibility and study designs. Moreover, sample size and statistical power are not calculated within the scope of pilot studies. Several real-world examples highlight the significance of pilot studies, such as the Viscoanalostomy pilot study, which focused on a surgical procedure, and the WHO International Pilot Study of Schizophrenia, which delved into investigating schizophrenia. These examples underscore the invaluable insights that pilot studies provide and their pivotal role in aiding researchers to prepare for larger studies by refining their methods and addressing potential challenges.

If a research tool can be applied in future studies with comparable objectives and produces results that are similar, it is reliable. The internal scales of the questionnaire and interview questions were determined using a cut point of 0.7 for Cronbach's internal consistency. The findings showed that the statements' Cronbach alpha was more than 0.7.

In this study, triangulation was conducted to enhance the validity and reliability of the findings by combining multiple data sources and collection methods (K Map, n.d.) Triangulation involves using different methods (Chronaki,2021) or data sources in qualitative research to develop a comprehensive understanding of phenomena (Patton, 1999). The researcher utilized both primary and secondary sources, collecting firsthand data through questionnaires distributed to voters and interviews with politicians, political analysts, and IEBC officials. Secondary data was obtained from existing literature, journals, newspapers, electronic sources, and videos. This methodological triangulation allowed for cross-verification of data and provided a more robust and nuanced understanding of the causes and consequences of post-election violence in Kenya. In incorporating various perspectives and sources, the researcher could mitigate biases and ensure a more comprehensive analysis (Denzin, 1978).

3.7. Data Analysis and Presentation

According to Mugenda (2009), data analysis is the technique used by researchers to provide the information they have managed to gather during their investigation order, organization, and meaning. Descriptive, content, and narrative analyses of the data were used. By categorizing interview responses and documents individually, primary and secondary data were organized (Chronaki,2021) The information gathered through the use of interview questions and guidelines was consistent with the study's broad and narrow aims. The information was then divided into themes, subjects, and essential points, and coded in accordance with the goals and deductions made. Codes were created, and notes

from the transcript review were compiled. While evaluating the relative relevance of several themes or by emphasizing the subtle variations, patterns and relationships within and between categories were discovered. The analysis offered in the paragraphs and urbanization quotes was then evaluated by giving them context and relevance.

Quantitative analysis was also used and descriptive statistics applied to the data that was collected using questionnaires. This included use of frequencies and percentages, graphs, tables and pie charts to project the demographic data, participation and decision making of the respondents. Charts and figures were also used to summarize the responses from the interviews. The summary and interpretation of the analysis was then submitted and presented as a thesis for examination.

The data was gathered through interviews and questionnaires. (Project NG, n.d.) The information gathered through the use of questionnaires was analyzed using descriptive narrative statistics. The researcher used the frequency, mean, and standard deviation to analyze the data. Tables, paragraphs, charts, and figures are used to present the results.

Data analysis is defined as the process that researchers use in order to bring about order, structure and meaning to the information that they have managed to collect in research.

The data was collected using questionnaires and interviews. Descriptive statistics was applied for the data that is collected using the questionnaires (Akindola &Abiola,2019).

The researcher examined the data using frequencies, mean, and standard deviation. The results are presented using charts, bar graphs and tables. To assess the nexus between Kenya's electoral management system and post-election violence since 1963, both Pearson correlation and regression analysis will be conducted.

To this end, regression model I will be used:

$$PEV = \beta_0 + \beta EMS + \varepsilon \dots\dots\dots I$$

Where:

PEV = Post Election Violence

EMS = Electoral Management System

β_0 is the intercept

β is the coefficients representing the effect of board electoral management system on post-election violence

ε_{it} is the error term

To ascertain whether the identified causes result in the consequences of Kenya's post-election violence since 1963, both Pearson correlation and regression analysis will also be conducted. To this end, regression model II will be used:

$$\text{CONS} = \beta_0 + \beta\text{CAUS} + \varepsilon \dots\dots\dots \text{II}$$

Where:

CONS = Consequences

CAUS = Causes

β_0 is the intercept

β is the coefficient representing the effect of cause on the consequences of post-election violence

ε_{it} is the error term

3.8. Limitations of the Study

Biases from the respondents are a highly possible limitation in this study. The reason for this is based on the sensitivity of the topic. Research participants may provide responses meant to support their political views and politicians. This is mainly due to the political divide that exists in the country. Distance was also an issue in this research. As noted, before, Kenyans have different political views, and they are influenced by their ethnic background and the region where they live. This means that the researcher had to travel to different parts of the country to collect the relevant data from research participants. The

study considered using the internet, Twitter, and Facebook to deliver the questions. However, there is the issue of internet connections in rural towns and reaching only one demographic when using the social media platform, i.e., the youth.

In this study, the ethical guidelines were followed to protect the respondents' feelings and dignity when posing pointed questions. The researcher also included an introduction letter with a confidentiality guarantee for the respondents. Additionally, great care was taken during the research's execution to guarantee that the respondents wouldn't suffer any physical or psychological injury. The researcher ensured that all pertinent organizations with a stake in the study gave clear written consent for the study to be conducted and that all data collected, examined, and reported was exclusively used for academic reasons.

3.9. Ethical Considerations

The researcher obtained a letter of authorization from Masinde Muliro University of Science and Technology's graduate school [Appendix 8]. Additionally, permission to collect data in the counties of Nairobi, Mombasa, Kisumu, Nakuru, Uasin Gishu, Marsabit, and Baringo was received by the Kenya National Commission for Science, Technology, and Innovation [Appendix 9]. The researcher obtained a permit from the county commissioners' offices at the local level. Through polite contact and enquiries, the interviewees were asked for their consent to do the research. Additionally, the researchers used letters and emails to ask interviewees and respondents for their consent to take part in the procedure. The objectives, procedures, anticipated advantages, and potential risks [Appendix 1] were communicated to the responders.

There are a number of ethical rules that must be followed in this research study in order to protect the participants from harm while participating in the study and to ensure that the study is carried out properly. This shows that the information utilized in the study was not created or altered by the researcher. Additionally, the research complied with copyright

regulations and included acknowledgements for the writers whose works the researcher had cited as references. Throughout the entire process of data collection and analysis, it was crucial for the researcher to uphold moral standards and foster trust with the participants (Missouri Department of Natural Resources n.d.). The researcher was open and honest about what she is researching, the significance of the information participants submitted, and the outcomes that were obtained. Additionally, it was crucial for me to uphold social responsibility, confidentiality, non-discrimination, and to avoid bias. The study participants were also told by the researcher that they were free to leave the study at any moment. It was essential to protect the research participants' identities so that their opinions wouldn't put them in danger or cause them to be treated unfairly.

3.10. Chapter Summary

An overview of the data collection approach is presented in this chapter. Information about the target population was also included in the chapter. These are the participants who took part in the research and also the sample size which was used. These are the people who took part in the study and the sample size that was employed. It describes the method used to determine the sample size and how materials were organized. It also provides the limitations encountered and how they were tackled. Finally, it discussed ethical considerations that were important in conducting research.

CHAPTER FOUR

ESSENCE OF KENYA'S ELECTORAL MANAGEMENT SYSTEM AND ITS INFLUENCE ON POST-ELECTION VIOLENCE

4.0 Introduction

The study aimed to determine the fundamentals of Kenya's electoral administration system and how it affected post-election violence (Otieno, Ochieng, Matanga., & Itoyo, (2023); to achieve this, this chapter discusses the analysis of field results as well as how they were discussed in light of earlier relevant studies. The study was done using SPSS version 26, and the outcomes are shown in tabular and graphical formats. The chapter is divided into five major sections: an overview that includes the response rate, a descriptive analysis of the social demographic characteristics of the respondents, information relevant to the design of Kenya's electoral systems, and a detailed discussion of the results in relation to related studies that have been done in the past.

4.1 Response Rate

The study specifically selected 260 voters, 50 elected officials, 60 political analysts, 40 IEBC employees, 10 representatives of the Humanitarian Aid Agency, 10 local and international observers, 10 security personnel, and 10 county administrative staff members. Thus, the established sample size comprised 450 people from a selected group of counties, including Nairobi, Kisumu, Eldoret, Nakuru, and Mombasa. As a result, 450 instruments in total were administered in accordance with the chosen sample size. 186 of the 260 distributed voter surveys were fully completed and returned. This results in a 79% response rate among voters who are registered.

A total of 38 politicians were on the other hand interviewed out of the 50 targeted, resulting a 76% response rate for politicians. Further, out of the 60 interviews targeted with political

analysts, a total of 44 were successfully conducted, resulting in a 73% response rate for political analysts. 29 interviews were conducted among IEBC officials out of the 40 targeted, which translates to a 73% response rate. The response rate for the Humanitarian Aid Agency officials was 72%, Local observers 81%, international 81%, security agents 81% and Members of county administration 82%. The study achieved a response rate of 77%, with 328 respondents reaching out of the 450 targeted. The foregoing statistics are broken down in Table 4.1.

The initial focus and study target were 450 respondents. With the help of field research Assistants, 328 respondents responded positively to both the questionnaires and interviews, translating to a 77% response, as shown in Table 4.1.

Table 3. 2: Frequency Rate

Response	Frequency	%
Completed Questionnaires and Interviews	328	77%
Questionnaires and Interviews Not Returned	122	23%
Total	450	100%

Category	Targeted	Response		Non-Response	
		n	%	N	%
Voters	260	186	79	74	21
Politicians (former councilors/MCAs, MPs and County Governors)	50	38	76	12	24
Political Analyst	60	44	73	16	27
I.E.B.C Officials	40	29	73	11	28
Humanitarian Aid Agency officials	10	7	72	3	28
Local observers	5	4	81	2	19
International observers	5	4	81	1	19
Security agents	10	8	81	2	19
Members of county administration	10	8	82	2	18
Total	450	328	77	122	23

Source: (Research Field Work Data, 2022)

According to Creswell (2013), the established response rates—both overall and per category—were excellent and sufficient for data analysis and inference drawing. A return rate of 70% or higher is considered "excellent," a return rate of 60% is "good," and a return rate of 50% is "adequate," according to Collis and Hussey (2009). Hiring and training 10 research assistants to help administrate the instruments across the five chosen counties is credited with the high return rate.

4.2 Social Demographic Characteristics of Responders

The demographic data of the respondents is covered in this section. The demographic data collected for the survey is used to give a general overview of the profiles of the respondents. Additionally, it ensures that the study's findings indicate various viewpoints, understandings, and first-hand knowledge based on various demographics. In this regard, the data requested included the respondents' gender, age range, county of residence, level of education, and whether or not they had ever participated in a general election in Kenya as well as the total number of elections. The results are shown in tabular and graphical formats and are provided as percentages and frequencies.

4.2.1 Responders' Gender

The study sought to find out the respondents' gender. This was aimed at ensuring that the results are representative of any gender in order to capture e different experiences and perceptions with respect to the essence of Kenya's electoral management system. As such, respondents were requested to indicate whether they were male or female (Ward,1978). Figure 4.1 presents the results.

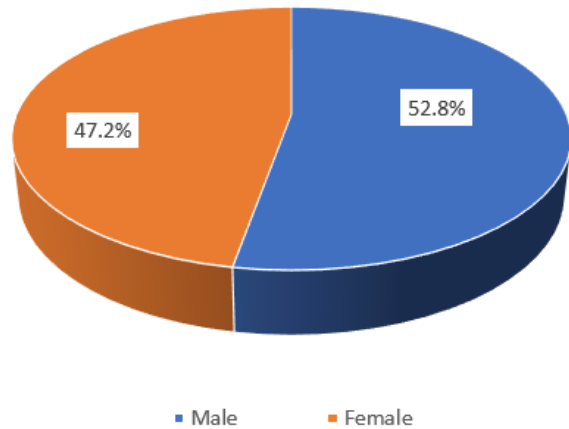


Figure 4. 1: Respondents' Gender

Source: (Researcher field work Data, 2022)

In this section, respondents' social demographic characteristics and interviews are covered. Male respondents make up 52.8% of the sample, while female respondents make up 47.2%. as seen by picture 4.1. Figure 4.1 illustrates that male respondents made up the majority (52.8%) compared to female respondents (47.2%). The conclusion has the implication that the study, having reached respondents of both genders with a fairly equal representation, is reflective of any gender difference experiences and perceptions with respect to the substance of Kenya's electoral administration system.

4.2.2 Respondents' Age

In order to further ensure that the study findings are indicative of the varied respondent impression of the essence of Kenya's election administration system based on age, the study tried to determine the respondents' age groupings. The outcomes in this regard are shown in Figure 4.2.

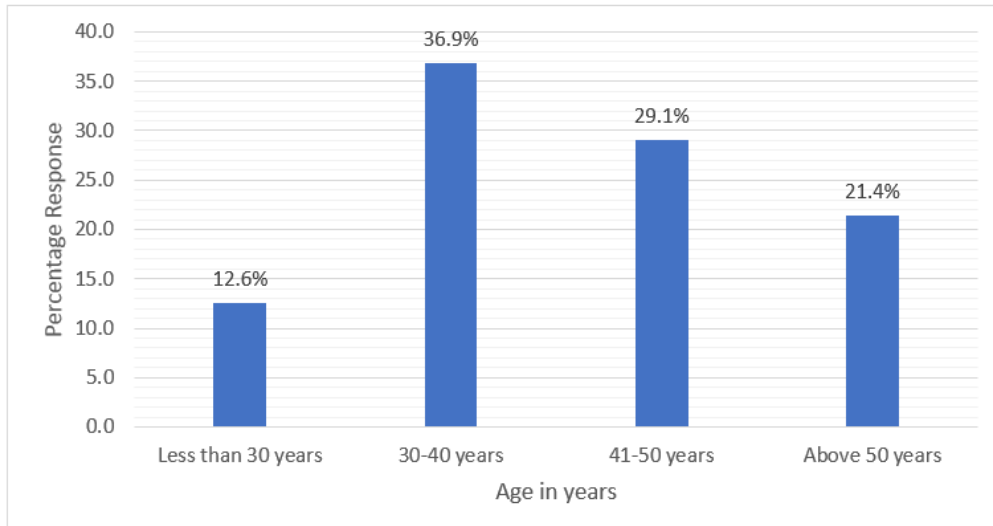


Figure 4. 2: Respondents’ age bracket

Source: (Researcher Field work Data, 2022)

Figure 4.2's findings demonstrate that the majority of respondents (36.9%) were between the ages of 30 and 40, while 29.1% of respondents said they were between the ages of 41 and 50. In addition, 21.4% of respondents said they were over 50, while 12.6% said they were between 18 and 30 (Observation Baltimore, n.d.) .The conclusion suggests that the survey is typical of how each respondent, based on their age, perceives the fundamentals of Kenya's electoral administration system. Figure 4.2: Respondents and interviewees age bracket statistics are shown in figure 4.2. The majority of respondents were between the ages of 30 and 40, which is the youth age bracket in Kenya, with 29.1% coming in second. The results imply that the study is representative of how each respondent views the core elements of Kenya's electoral management system based on age, with the majority of respondents (49.5%) falling within the bracket of youth (36.9% between the ages of 30 and 40 years, 12.6% between the ages of 18 and 30, and 21.4% above the age of 50 years). This demonstrates that the youth in Kenya are more politically engaged and active than any other age group throughout the campaigning time. This was also a result of the youth having better levels of education. Figure 4.3 from the report indicates that the majority of

young people had completed secondary education. The level of education explains why young people participate in political processes at such high rates. Studies in sociology and political science show that people are more likely to participate in politics if they have a higher level of education (Roskin et al., 1997).

They were more sensitive to security and socio- economic and political dynamics, aware of the freedom of expression and need to participate in the political sphere of electioneering event and activities in the country. The next age bracket consisted of those aged between 41-50 years at 29.1% and those in the age above 50 years at 21.4% this represented the younger elders in the society who held or aspire to hold leadership positions in various socio-economic and political endeavours. They were the main decision makers and the middle class. They had access to land and other strategic resources, and therefore, more stable. Majority of the opinion chapters seemed to come from this group. This was the group that dominated leadership positions in the political initiative and landscape. Many of the members of county assemblies and members of parliament fell in this age group. Most business owners came from this age group and this might explain why they were particularly interested in issues of Kenya's electoral management system and its influence on Post- election Violence.

For the age bracket of less than 30 years the respondents were slightly lower than any other age brackets. The low participation of the age group can be explained in many ways. First, many of them may be still pursuing education, just started career and family and have not much time for participation in political activism. Second, they had been edged out of economic and political opportunities, struggling with unemployment. Third, it is possible their parents were actively involved in political activities. As a result, they felt represented and did not see the need of participating.

4.2.3 Educational Level of Respondents

Participants were requested to state their respective education levels. This would give a general impression of the levels of education among respondents and further ensure that the study findings are representative of the diverse respondent perceptions of the essence of Kenya's electoral management system based on educational level. Figure 4.3 gives a depiction of the outcomes.

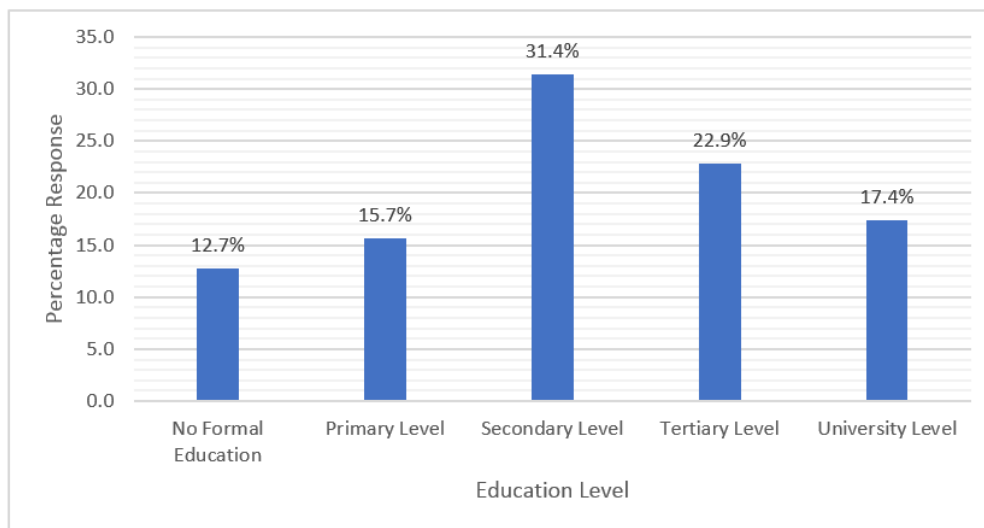


Figure 4. 3: Educational Level of Respondents

Source: (Researcher Field Work Data, 2022)

As illustrated in Figure 4.3, the largest group of participants, representing 31.4%, had attained secondary education, closely followed by 22.9% who had completed tertiary education. A cursory review of this figure indicates that a significant portion of respondents across the study areas had some level of formal education, with secondary education as the most prevalent, followed by tertiary at 22.9% and university education at 17.4%. This distribution suggests that most respondents possessed a reasonably extensive knowledge base, an expansive perspective, and a solid understanding of political matters, electoral governance, and its impact on Kenya's post-election violence history, extending back to 1963.

Furthermore, 17.4% reported reaching university-level education, while 15.7% had achieved only primary education. Meanwhile, a smaller proportion, 12.7%, stated they had no formal schooling. By including respondents across all educational backgrounds, the study captures a broad array of perspectives on the significance and functionality of Kenya's electoral management system, as understood through the lens of varied educational levels. This comprehensive representation highlights how diverse educational experiences shape respondents' perceptions regarding the governance of elections and its bearing on national stability.

4.2.4 Respondents' County of Residence

The study respondents were distributed across five counties including Nairobi, Kisumu, Uasin Gishu, Nakuru and Mombasa. This would ensure representations of respondents' diverse opinion and perception of the essence of Kenya's electoral management system based on lived experiences in the various counties. The majority of the show respondents were from Nakuru (21.6%) and Kisumu County 21.2% County.

The explanation is that these are towns that witnessed the worst incidences and bear the greatest Brent of Post- election Violence. The two towns historically have been the hot bed of political Campaigns since independence in 1963, with Nakuru dating back to pre-independence days as the epicentre of white settler politics (Gertzd , (1920)) Nairobi 19.1%, Mombasa 19.2% and Eldoret 19.1% recorded lower respondents mainly because of the out placement of the Victims of post-election Violence, who were affected and moved to their Counties of origin and birth it can also be attributed to being very Cosmopolitan County the respondents refrain and decline to revisit the past episodes of Post-Election Violence.

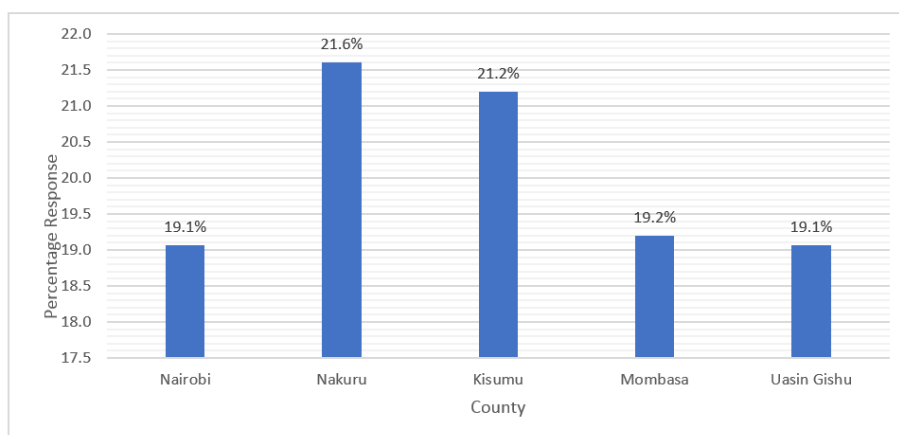


Figure 4. 4: Respondents’ County of Residence

Source: (Researcher Field Work Data, 2022)

Results in Figure 4.4 indicate a somewhat fair distribution of respondents based on their county of residence. Most respondents were from Nakuru (21.6%), 23.7% from Kisumu, and 19.2% from Mombasa. A further 19.1% were from Nairobi, and an equal number were from Uasin Gishu (19.1%). The result implies that the study findings represent respondents’ diverse opinions and perceptions of the essence of Kenya’s electoral management system based on lived experiences in the various counties.

4.2.5 Respondents’ Occupation

Participants were asked to identify the vocations they each held. This will also provide a general sense of the respondents' socioeconomic backgrounds and guarantee that the study's findings indicate the varied respondents' impressions of the core elements of Kenya's occupation-based election administration system. The outcomes are shown in Figure 4.5. Only 18.6% of respondents were in formal employment, which is significant and likely reflects Kenya's high unemployment rate. The majority (24.2%) were self-employed, 23.7% worked irregular hours, 13.6% were unemployed, 9.7% were students, and 10.2% were retired.

This pattern asserts the sampled respondents' income and standard of living. In the Kenyan context, more than the majority of the respondents have incomes that can hardly support their household. This state of affairs perhaps explains why voters are normally ready to accept bribes during election campaigns and why political tensions in elections easily turn into violence, looting, and massive destruction of property (Calvocoressi, 1995; Giddens, 2004).

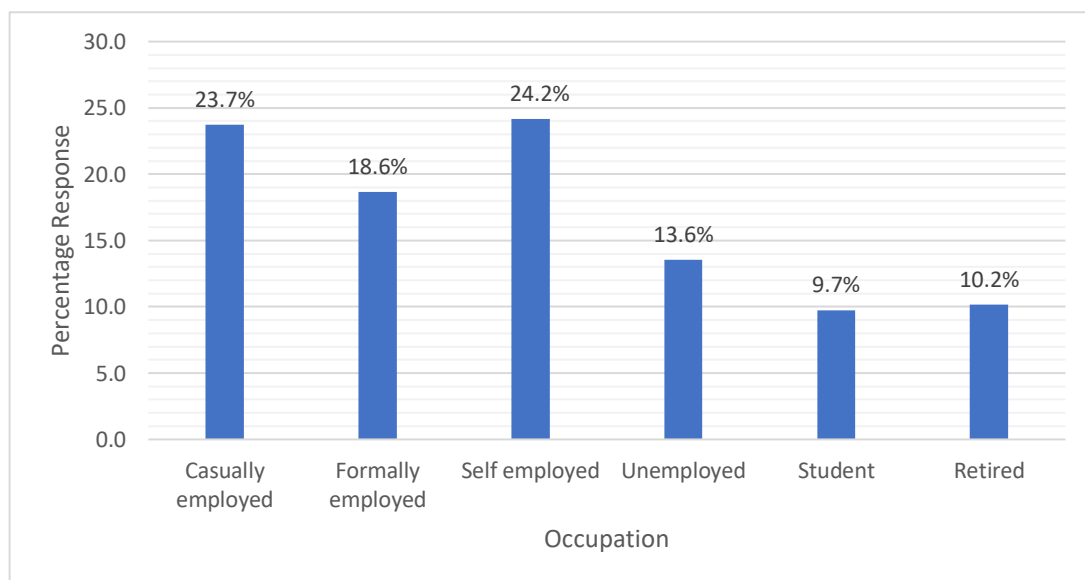


Figure 4. 5: Occupational Level of Respondents

Source: (Researcher Field Work Data, 2022)

Based on the results depicted in Figure 4.5, most respondents (23.7%) indicated that they were casually employed, followed by 24.2% who affirmed being self-employed, then 18.6% who were formally employed. A further 13.6% indicated they were unemployed, while 10.2% indicated they had retired. Further, only 9.7% of respondents indicated that they were students. Having reached respondents from the entire spectrum of occupations,

it can be deduced that the study findings represent the diverse respondent perceptions of the essence of Kenya's electoral management system based on occupation.

4.2.6 Respondents Participation in Voting

Respondents were asked to indicate whether or not they had ever voted in a general election in Kenya. This would give an indication of the study's representations of various respondents' perceptions of the essence of Kenya's electoral management system based on voting participation. Results are presented in Figure 4.6.

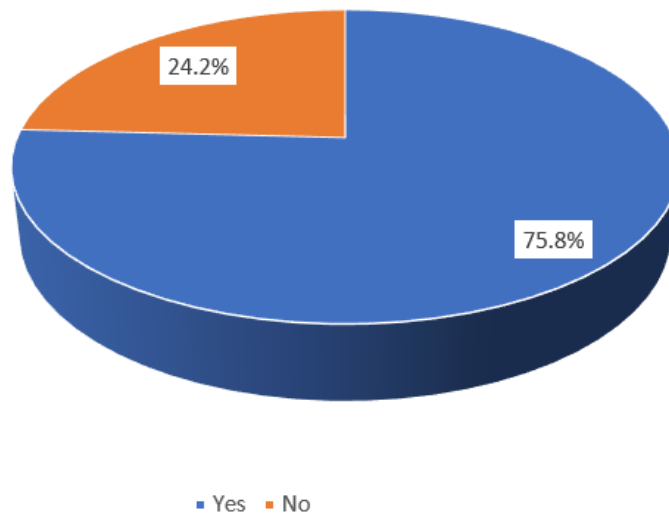


Figure 4. 6: Respondents Participation in Voting

Source: (Researcher Field Work Data, 2022)

As illustrated in Figure 4.6, most respondents (75.8%) indicated they had voted in a general election in Kenya, while only 24.2% dissented. From the information in Figure 4.6, it is clear that a majority of respondents, 75.8%, indicated that they had voted in a general election in Kenya, while only 24.2% had not. The result confirms that most of the

respondents (75.8%) understood the mechanics of the Electoral management system and its influence on Post-election Violence and the intricacies of the electoral process.

The explanation for this is that the sampled respondents had attained a reasonable level of education, and this is confirmed by results in Figure 4.3, which shows respondents with primary education stood at (15.7%) secondary education (31.4%), tertiary level (22.9%) and university level (17.4%). Figure 4.7: respondent's participation in election cycles. From the information in Figure 4.7, only (9.7%) of the respondents had participated and voted in election cycles, with the majority of respondents had voted in 3 election cycles 33.1%, 4 election cycles (19.5%) 2 election cycles (20.8%) and 1 election cycle (16.9%). These results show that most respondent, have institutional memory of general elections held since the re-introduction of multi-party politics in Kenya in the early 1990 and only very few recollect the previous elections in the period 1963 to 1992. The explanation for this is that sampled voters are relatively in the age bracket of youth as confirmed in figure 4.2 which shows participation of respondents falling in the bracket of youth age bracket of up to 40 years are at 49.5% combined. This contrast with the respondent who are above age of 50 probably born at independence period were 21.4%, which also explain on scant reference to elections held in Kenya between the early phase of independence from 1963 to 1992.

It can be deduced therefore that respondents as contained. In figure 4.7 in figure 4.6 show that many respondents understand, or one dissolved and appreciate intricacies of electoral management system and its influence on post-election Violence and mechanism of electoral processes in Kenya since 1963. This indicates that the study findings are representative of the diverse respondent perceptions of the essence of Kenya's electoral management system based on participation in voting.

Respondents that affirmed to having voted in a general election were asked to indicate the number of election cycles they had voted in. This would give further give an indication of respondents' various levels of experience in the country's electoral system. Figure 4.7 presents the results.

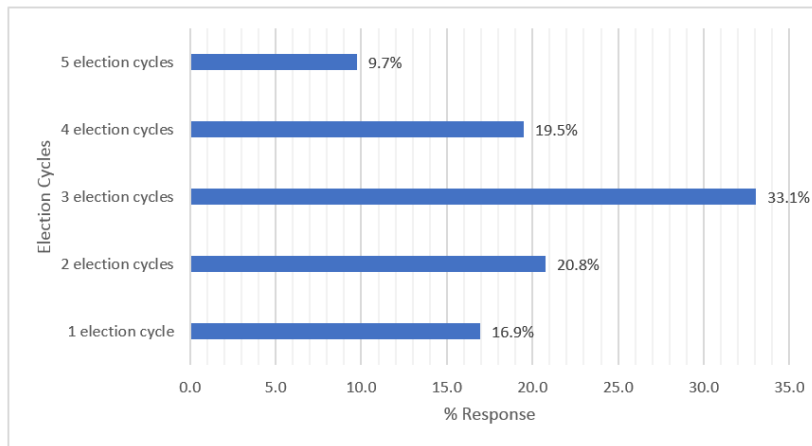


Figure 4. 7: Number of Election Cycles

Source: (Researcher Field Work Data, 2022)

As indicated in Figure 4.7, most respondents (33.1%) had voted in 3 election cycles, followed by 20.8% of respondents affirming having voted in 2 cycles. Further, 19.5% of respondents indicated they had voted in 4 election cycles, while 16.9% had voted in 1. Only 9.7% of respondents had voted in 5 election cycles. The finding implies that the study represents diverse voting experiences and, therefore, diverse respondents' perceptions of the essence of Kenya's electoral management system based on voting experiences.

4.4 The Essence of Kenya’s Electoral Management System and its Influence on Post-Election Violence

The study's goal was to identify the core components of Kenya's electoral management system. To do this, respondents were asked to rate how much they agreed with several claims made about its fundamentals. A 5-point Likert scale was used, with 1 denoting strongly disagreeing, 2 denoting disagreeing, and 3 denoting neutral. Number 4 meant "agree," while 5 meant "strongly agree."

Table 4. 1: Essence of Kenya’s electoral management system and its influence on post-election violence.

	Mean	Std. Dev
Upholds the freedom of citizens to exercise their right to vote	4.186	0.611
Promotes fair representation	4.297	0.485
Promotes equality of vote	4.360	0.578
Supports free and fair elections	4.411	0.588
Establishes mechanisms for settling electoral disputes	4.106	0.634
Determines how the electoral management body conducts elections and referendums	4.377	0.624
Establishes eligibility criteria for voters	4.076	0.482
Establishes eligibility criteria for election candidates	4.191	0.654
Establishes the electoral formula	4.271	0.464
Establishes how election campaigns are conducted	4.275	0.656
Overall Mean	4.255	0.577

Source: (Researcher Field work Data, 2022)

The findings in Table 4.2 present a substantial overall mean score of 4.255, paired with a standard deviation of 0.577. These metrics indicate that most participants strongly concurred with the survey items. Delving deeper into the individual items, a large fraction of the respondents asserted that Kenya’s electoral framework effectively upholds citizens’ right to vote (mean score of 4.186), ensures fair representation (mean of 4.297), and encourages voting equality (mean of 4.360). Further, it supports the execution of free and

fair elections (mean of 4.411), implements mechanisms for resolving electoral disputes (mean of 4.106), regulates how the electoral management body oversees elections and referendums (mean of 4.377), and specifies the qualifications required for voting eligibility.

In the following section, an in-depth examination and interpretation of the results surrounding the Independent Electoral and Boundaries Commission (IEBC) and its critical role in ensuring equitable representation at the national level is conducted. The results reveal a notable scepticism among respondents regarding the IEBC's effectiveness in safeguarding fair representation, particularly at the presidential level. Although participants showed relatively greater confidence in the IEBC's ability to maintain fair representation at other elective levels, responses remained divided on transparency within the electoral system, especially concerning fair representation. (Pulse Live Kenya,2023) These insights underscore an urgent need to address the electoral system's efficacy and transparency, particularly on achieving fair representation. When viewed in the context of the study's primary objectives, these findings strongly align with the goal of examining the interplay between the electoral management system and instances of post-election violence in Kenya. Public sentiment towards the IEBC is largely influenced by its perceived capacity to ensure fair representation, uphold transparency, and secure the credibility of election outcomes. The expressed doubt among respondents regarding fair representation across various elective offices, compared to the presidential level, implies that views on electoral fairness may vary significantly based on the particular office under consideration.

An intriguing and somewhat unexpected insight emerges from the respondents' mixed opinions regarding the transparency of the electoral process, which reflects a lack of consensus among participants. Notably, the higher proportion of respondents who believe

fair representation is achieved at other elective seats compared to the presidential level suggests that public perceptions of fairness in representation differ significantly based on the specific seat in question. These results bear considerable implications, highlighting the critical need for the IEBC to intensify transparency efforts and build public trust in the electoral framework, particularly in ensuring fair representation. Addressing these perceived shortcomings in the credibility and transparency of electoral procedures is essential to bolstering public confidence in democratic institutions and reducing the risks of post-election violence. Enhanced initiatives in voter education and civic engagement play an essential role in bridging the gap between public expectations and the operational realities of the electoral system.

The main aim of this study was to explore the relationship between Kenya's electoral management system (EMS) and the occurrence of post-election violence from the country's independence to the current period (Otieno., C., Ochieng. P., Matanga.F., & Iteyo,2023) This exploration involved understanding how the structural framework, operational mechanisms, and overall effectiveness of the EMS either support peaceful electoral outcomes or exacerbate tensions that lead to post-election conflicts (Otieno. C. Ochieng., Matanga. F. K., & Iteyo .2024) The research was particularly focused on identifying critical features of Kenya's EMS and assessing its impact on post-election violence by analyzing core system components and their effects on the frequency and severity of post-election unrest. The research question at the heart of this objective aimed to reveal the primary elements of Kenya's EMS and explore its influence on incidents of post-election violence.

The study's findings shed substantial light on various aspects of Kenya's electoral management system and their impact on post-election violence. Key aspects include the system's role in safeguarding citizens' voting rights, promoting fair representation,

ensuring equality in voting, and facilitating free and fair elections. Additionally, the study highlighted the mechanisms for resolving electoral disputes, the processes through which elections are organized, and the eligibility criteria established for both voters and candidates. These results underscore the importance of Kenya's EMS's integrity and functionality in shaping electoral results and minimizing the risk of post-election violence. Public trust in the electoral process is significantly bolstered by the EMS's perceived fairness, transparency, and impartiality, reducing the likelihood of disputes and violence following elections. (Otieno., Ochieng, Matanga., & Iteyo.,2024)

Conversely, any identified weaknesses or shortcomings within the EMS—such as perceived bias, lack of transparency, or inadequacies in electoral legislation—can erode public trust, intensify societal tensions, and heighten the likelihood of violence. The study's findings suggest that a reliable and impartial EMS fosters a peaceful and stable electoral environment. Strengthening the independence of institutions, increasing transparency, and refining conflict-resolution mechanisms are essential steps in enhancing the EMS's effectiveness. Addressing issues related to bias, opacity, and legal gaps within electoral regulations is also crucial in mitigating the risks associated with post-election violence. Reforms aimed at bolstering the EMS's integrity and neutrality are pivotal for increasing public trust and confidence in the electoral system, reducing societal tensions, and preventing violence (Otieno., Ochieng, Matanga. & Iteyo,2023)

In summary, these research findings highlight the intricate and multifaceted relationship between Kenya's electoral management system and post-election violence, emphasizing the critical role of robust governance mechanisms in protecting the democratic process and fostering electoral peace.

The findings in Table 4.2, where respondents largely agree that Kenya's electoral management system ensures the eligibility of voters and candidates, dictates how elections

and referendums are conducted, promotes equality in voting, supports free and fair elections, fosters fair representation, and upholds citizens' right to vote, are consistent with previous literature on best practices in electoral management systems (Bratton, 2008; Corradeltic, 2015; Anderson, 2005; Klopp and Kamungi, 2010).

Similarly, the findings presented in Table 4.3 reveal that most respondents doubted the efficacy of Kenya's electoral management system. This finding is consistent with studies conducted in several other African countries, including Zimbabwe, Nigeria, Burundi, Malawi, Zanzibar, Uganda, Egypt, Mozambique, Sierra Leone, Côte d'Ivoire, Djibouti, and the Democratic Republic of Congo. In these nations, internal and external interests have compromised electoral management systems, leading to the subversion of the people's will. As a result, protests, political violence, and disputes have erupted, raising questions about elections' free, fair, and verifiable nature (Reynolds, 1999).

The findings in Table 4.4 regarding the role and capacity of the electoral management system to ensure fair representation at the presidential level reveal that most respondents (60.2%) do not believe that the system achieves this objective. This conclusion is supported by previous research, which has found that when electoral management systems are inefficient, flawed, partisan, biased and open to manipulation by incumbent political elites, the outcomes of elections are often disputed. This, in turn, precipitates political violence, ethnic conflict, and related social unrest (Gaulme, 2010).

Table 4. 2: The right to vote

	Yes		No	
	n	%	n	%
Popular sovereignty	99	41.9	137	58.1
Government policies reflect the wishes of the people	101	42.3	135	57.7
Government leaders are elected	100	42.4	136	58.1
Elections are free and fair	98	41.5	138	58.5
People participate in the political process	123	52.1	113	47.9
High-quality information is available	142	60.2	94	39.8
The majority rules	99	41.9	137	58.1

Source: (Researcher Field Work Data, 2022)

As shown, the majority of respondents indicated that they do not think Kenya's electoral system realizes or achieves the fundamental principles or goals of representative democracy as envisioned in the Kenya Constitution 2010 in regards to popular sovereignty (58.1%); government policies reflecting the wishes of the people (57.7%); elected officials (58.1%); free and fair elections (58.5%); people participating in the political process (47.9%); high levels of participation in politics (58.5%); or high levels of participation in economic decision-making. A majority of respondents disagreed when asked whether they thought Kenya's electoral system realized the essential idea of democracy as envisioned in Kenya's 2010 constitution in terms of political equality and liberty. Additionally, respondents were asked if they thought the IEBC was qualified to hold elections in Kenya in order to:

Table 4. 3: Role of the IEBC

	Yes		No	
	n	%	n	%
Fair representation at the presidential level	94	39.8	142	60.2
Fair representation at all other seats	165	69.9	71	30.1
Transparency in the electoral process	118	50.0	118	50.0

Source: (Researcher Field work Data, 2022)

As depicted from the results, the majority of participants expressed doubt about the Independent Electoral and Boundaries Commission (IEBC)'s ability to manage elections in Kenya effectively enough to ensure fair representation at the presidential level (60.2%). Conversely, most respondents believe that the IEBC is competent in handling elections for other political offices, with 69.9% of them affirming this view. Furthermore, participants were evenly divided on whether the IEBC is capable of ensuring transparency in the electoral process, with exactly 50% agreeing and 50% disagreeing. The same 50-50 split was observed in responses regarding whether the IEBC is perceived as a legitimate institution in the country.

The survey also probed participants' perspectives regarding the Kenyan electoral system. Findings revealed that a significant segment of respondents believe the electoral framework is based on the principles of equity and impartiality, allowing each eligible voter an equal opportunity to participate. Participants also concurred that the Kenyan Constitution enshrines political freedoms such as the right to vote, affiliate with a political party, and stand for public office. Additionally, the Constitution grants the judiciary authority to resolve electoral disputes, including presidential petitions, while assigning the Independent Electoral and Boundaries Commission (IEBC) the constitutional mandate to manage the electoral process.

One participant observed:

“The electoral structure in Kenya is governed by the IEBC, a body constitutionally tasked with ensuring that elections are free and fair.”

[Monday, June 27, 2022. Q7 Voter 29, Nairobi]

Another individual commented similarly, noting:

“Kenya’s electoral system secures every citizen aged 18 and above the right to register, vote, and seek elective office, given they fulfill the necessary qualifications.”

[Monday, June 27, 2022. Q7 Voter 72, Kisumu]

Comprehensive interviews with key informants further elaborated that Kenya's electoral framework adheres to the First-Past-The-Post (FPTP) model, a plurality or majority voting system rooted in the 2010 Constitution. This model entails a network of stakeholders, each constitutionally designated specific roles. Among these, voters are ensured the right to participate in elections, the IEBC is appointed to manage elections and referenda, the judiciary addresses electoral litigation, and parliament holds the responsibility for election-related legislation. Furthermore, the executive, particularly the sitting government, the media, and security agencies were identified as influential stakeholders in the electoral process.

A key informant illustrated:

“The plurality system is straightforward—following voting and counting, the candidate with the most votes wins. In Kenya’s presidential race, for example, a candidate must obtain over 50% plus one of the votes to claim victory, a criterion that played a pivotal role during the 2022 Supreme Court petition.”

[Thursday, June 23, 2022. Q1 Political Analyst 5, Nairobi]

Another expert highlighted the multifaceted nature of the electoral framework, saying: “Kenya’s electoral process involves multiple integral players—the voter, the IEBC, the judiciary, among others—all working toward a shared aim: electing leaders who truly reflect the will of the majority.” [Thursday, June 23, 2022. Q1 Political Analyst 7, Nairobi]

As stated in studies by Kamindo (2024), a further comment underscored the comprehensiveness of the system:

“The Kenyan electoral framework is exhaustively delineated within the Constitution, outlining each component’s role, though the IEBC remains paramount, as it directly oversees election organization. The Constitution further delineates the duties of other actors within this structure.”

[Friday, June 17, 2022. Q1 Politician 1, Nairobi]

To deepen insights into the IEBC’s role within Kenya’s electoral system, additional interviews were conducted. The research established that Article 88 formally constitutes the IEBC and defines its organization and responsibilities, which encompass conducting general elections, by-elections, and referenda (Kamindo,2024) An informant emphasized: “Article 88(4) empowers us to supervise and conduct referenda and elections for all elective bodies and offices established by the Constitution.”

[Monday, June 13, 2022. Q2 IEBC Official 1, Nairobi]

Furthermore, respondents were asked whether Kenya’s electoral framework effectively safeguards the universal suffrage principle. Many expressed confidence that the system has increasingly protected this right, largely credited to the 2010 Constitution (Afro cave, n.d.). One respondent stated:

“Universal suffrage is firmly established in the Constitution, and with every adult Kenyan free to vote for their preferred candidate, I’d say the system indeed upholds this principle effectively.”

[Tuesday, June 14, 2022. Q8 Voter 55, Nairobi]

Another respondent echoed this, noting:

“The Constitution clearly guarantees that each adult citizen has the right to vote privately.”

[Wednesday, June 29, 2022. Q8 Voter 102, Kisumu]

Participants were also queried on whether they believed the electoral system secures fair and transparent elections. While most agreed that the Constitution obligates the IEBC to ensure such standards, some voiced concerns about the impartiality of election personnel and incumbency’s influence. Although respondents acknowledged that the Constitution provides for fair elections, they emphasized that it falls to the IEBC and current government to maintain an untainted process. One respondent remarked:

“We have a robust Constitution that mandates fair elections, but the IEBC’s role is crucial to ensure the process remains transparent and unbiased.”

[Wednesday, June 8, 2022. Q9 Voter 142, Nakuru]

Another added:

“Despite the Constitution’s assurance of fair elections, a sitting president, for instance, could leverage state resources to sway outcomes in their favor.”

[Friday, June 24, 2022. Q9 Voter 198, Uasin Gishu]

Interviews with key informants reinforced that upholding free and fair elections is a foundational principle mandated by Article 81 of the Constitution.

One interviewee noted:

“Article 81 details core principles of Kenya’s electoral process, including the demand for free and fair elections. Whether this is fully adhered to, however, remains a separate matter.”

[Thursday, June 23, 2022. Q2 Political Analyst 7, Nairobi]

An expert weighed in with a historical perspective:

"You cannot claim that Kenya is a true democracy. From 1963 up until the present day, we have witnessed political leaders manipulate entire communities based on tribal and religious identities. After independence, Kenya’s first president, Jomo Kenyatta, favored his own tribe in land redistribution and civil service appointments. The only opposition party at the time was banned. This trend continued under Kenyatta's successor, Daniel Moi, who favored his Kalenjin tribe and formalized a one-party system through constitutional amendments. This pattern has persisted under subsequent governments, including Mwai Kibaki’s administration (2002–2013), Uhuru Kenyatta’s presidency (2013–2022), and seemingly under the current administration of William Ruto."

[Thursday, June 23, 2022. Q2 Political Analyst 17, Nairobi]

Another expert pointed out:

“Our electoral management system does not lead to democracy as we understand it. Yes, Kenya has continuously held elections since 1963, but the reality is that our governance structures remain weak and ineffective. Our society is governed less by the rule of law and more by dictatorial practices, brute force from security forces, and at worst, the bribery of elected officials. This cannot be called democracy—it is, at best, tyranny. Moreover, it is

a tyranny of the minority over the majority, exacerbated by irresponsible leadership and a lack of accountability in our institutions.”

[Thursday, June 16, 2022. Q2 Political Analyst 20, Nakuru]

To investigate public confidence in the Independent Electoral and Boundaries Commission (IEBC)'s capacity to deliver impartial elections, the study found that many respondents expressed trust in the process's integrity and transparency, especially when political rivals agreed on the operational rules. One participant remarked:

“My perspective is that the IEBC is sufficiently equipped to ensure an impartial and credible election, but this depends on mutual consensus among the primary political contenders—particularly those in the presidential race—regarding the election guidelines. No party should harbor grievances ahead of the election, and each must hold faith in the openness and auditability of the process.”

[Friday, June 17, 2022. Q2 Politician 12, Nairobi]

In further discussions with senior IEBC officials, we sought insight into their views on the commission's potential to execute elections that are free from bias and transparent. Despite substantial advancements the commission has achieved over multiple election cycles, a lingering skepticism from politicians continues to persist. One IEBC official explained:

“Our commission is fully equipped to execute elections that are not only free and fair but also transparent and credible. With every cycle, we identify our shortcomings and enhance our systems for subsequent elections. At this point, we are assured of delivering the most transparent and trustworthy elections in the country's history. Nonetheless, there is a notable distrust among political players. Despite this, we remain resolute and well-prepared to uphold our mandate.”

[Monday, June 13, 2022, Q4 IEBC Official 2, Nairobi]

When questioned about the implications of the 2017 presidential election annulment by the Supreme Court, some respondents shared their belief that it underscored an inadequacy in resources for effectively administering the presidential vote. According to their input, the Commission had conscientiously integrated recommendations from the Supreme Court of Kenya (SCOK) into its revised procedures. One of the foremost reforms included implementing a mandatory electronic voter registry that would only be suspended in rare cases of substantial system failure, under which a manual registry would be supplemented with photographic documentation of voters. Another critical enhancement was the establishment of a transparent protocol for transmitting results from polling stations to the central tallying center. A commission representative provided the following insight:

“We have comprehensively addressed and resolved every conceivable vulnerability throughout the electoral process, beginning from voter registration and extending through to the transmission of final results. For example, we have imposed stringent measures mandating the use of an electronic voter register, only deferring to the manual system in cases of exceptional technical failure, where photographic evidence would supplement any manual entries.”

[Q4 IEBC Official 2, Nairobi]

The survey also explored public views on whether the country's electoral framework guarantees fair representation and just voting practices. Findings indicated a generally positive response among participants. The two-thirds gender rule, mandating that neither gender can occupy more than two-thirds of elected offices, received broad support and was seen as pivotal in legitimizing the role of female representatives in parliament. Additionally, several respondents endorsed initiatives to enhance the representation of

persons with disabilities. However, a few respondents voiced concerns about constituency representation levels, arguing that population size should be a determining factor. One individual expressed:

“I am quite content with the current representation framework, particularly with regard to gender equality. The two-thirds rule, in my opinion, has markedly propelled gender parity within our political system.”

[Friday, June 24, 2022, Q10 Voter 271, Mombasa]

Another respondent added:

“The electoral structure certainly facilitates fair representation, though I feel parliament does not sufficiently capture our diversity. For instance, Members of Parliament receive equal Constituency Development Fund (CDF) allocations irrespective of population disparities across constituencies, which calls for reconsideration.”

[Tuesday, June 23, 2022, Q10 Voter 25, Nairobi]

Inquiries with key informants regarding their stance on whether the electoral system upholds fair representation and equitable voting rights revealed general satisfaction with foundational electoral principles, as prescribed by Article 81 of the Constitution. One analyst elaborated:

“A central pillar of Kenya’s electoral architecture is the commitment to fair representation and the equality of each vote, which serves as a foundation for roles such as female representatives and advocates for individuals with disabilities.”

[Thursday, June 23, 2022, Q4 Political Analyst 9, Nairobi]

One politician offered a complementary view: “Indeed, the framework largely supports fair representation, especially within parliament, though areas for refinement remain. The Building Bridges Initiative (BBI) aimed to tackle this, as it appears inequitable that a parliamentarian serving a sparsely populated constituency receives the same CDF allocation as one serving a densely populated constituency.”

[Friday, June 17, 2022, Q4 Politician 22, Nairobi]

The study also sought perspectives on the judiciary’s role in resolving electoral disputes, with most respondents expressing satisfaction with the judicial system’s approach to managing election-related grievances. Several respondents recounted instances in which election outcomes were contested, particularly emphasizing the pivotal 2017 Supreme Court decision to invalidate the presidential election and call for a rerun. One participant stated:

“In my view, our electoral framework adeptly addresses election disputes. Numerous aggrieved candidates have successfully challenged results in court, leading to overturned outcomes. The Supreme Court’s annulment of the presidential election, as presided over by former Chief Justice Maraga, serves as a prominent example.”

[Friday, June 24, 2022, Q12 Voter 279, Mombasa]

Another respondent shared:

“The accomplishments of the new constitution in this area are truly praiseworthy, as it has established avenues for resolving electoral disputes peacefully, thus circumventing any potential recourse to violence.”

[Wednesday, June 29, 2022, Q12 Voter 90, Kisumu]

Interviews with essential informants reinforced the prevailing belief that Kenya’s electoral system is well-equipped to manage election-related conflicts effectively. Participants

largely concurred that Article 87 plays a pivotal role in addressing electoral disputes by obligating parliament to create laws that facilitate the swift resolution of issues, including petitions. Many also underscored that the 2013 elections marked a turning point in Kenya's multiparty framework, representing the first instance in which electoral grievances were resolved peacefully and quickly, avoiding both violence and prolonged legal disputes. When queried on the Commission's specific role in dispute resolution, a key official from the IEBC explained:

“Under the mandate of Article 88(4)(e), the Commission is tasked with addressing election disputes, particularly those stemming from the nomination process. However, this mandate does not extend to election petitions or any disputes that emerge after the official declaration of election results.”

[Monday, June 13, 2022, Q5 IEBC Official 1, Nairobi]

Further inquiries sought respondents' views on the effectiveness of Kenya's electoral framework in managing elections and referendums. The responses were diverse, with some individuals expressing confidence in the IEBC's ability to uphold its constitutional responsibilities, while others voiced concerns over the Commission's perceived lack of credibility. Supporters cited obstacles such as political interference and inadequate financial autonomy as significant impediments to the IEBC's credibility. Conversely, critics pointed to previous allegations of election misconduct, upheld by judicial review, and the apparent discord among IEBC commissioners during the 2022 presidential election announcement. One respondent stated:

“From my perspective, the IEBC has generally succeeded in administering elections and referendums across the country. Nonetheless, their progress has been hampered by

political meddling and financial dependency on other institutions.” [Tuesday, June 14, 2020, Q12 Voter 35, Nairobi]

On the other hand, a dissenting respondent observed:

“It appears that the IEBC lacks the necessary credibility to conduct elections and referendums impartially. The commissioners often seem to be influenced during each election cycle to manage outcomes favorably for particular candidates, as evidenced by the internal disputes during the presidential result announcement.”

[Q12 Voter 189, Nakuru]

The discourse also encompassed the efficacy of the electoral framework in defining voter and candidate qualifications for public office. While numerous respondents commended the Constitution’s clear criteria for eligibility, several criticized the IEBC and judiciary’s application of these standards, particularly concerning candidates with criminal backgrounds. The criticism stemmed from cases where politicians were permitted to run for office despite unresolved legal cases or prior convictions. A respondent observed:

“The Kenyan Constitution is commendable on paper when it comes to setting eligibility standards. However, the real issue lies in the practical enforcement of these standards. We’ve seen candidates with questionable integrity still allowed to run for office.”

Wednesday, June 8, 2022, Q13 Voter 89, Kisumu]

Another respondent added:

“This issue is fundamental. The Constitution clearly defines the integrity requirements for political candidates, but these requirements are often disregarded, allowing unfit individuals to pursue public office.”

[Friday, June 24, 2022, Q13 Voter 221, Uasin Gishu]

The survey further explored respondents' perceptions regarding the management of election campaigns within the electoral system. Political figures, media outlets, and security agencies were frequently cited as bearing the principal responsibility for promoting peaceful and respectable campaign practices. A significant number of respondents expressed disappointment with certain politicians' conduct, particularly their provocative and divisive rhetoric. Many respondents also voiced concerns over perceived biases in media coverage, which they felt often distorted or misrepresented campaign events. While some acknowledged the efforts of security agencies in maintaining peace, others were critical of the perceived favoritism shown toward politicians from particular parties.

One respondent remarked:

“Politicians can be extremely reckless with their campaign statements, seeking to galvanize their supporters. If unchecked, this behavior could foster instability and unrest.”

[Thursday, June 8, 2022, Q14 Voter 175, Nakuru]

Another respondent highlighted the media's role:

“Media organizations bear a significant responsibility during election campaigns. They must exercise caution in what they broadcast, ensuring they do not promote harmful messages and instead carefully vet any contentious or misleading information.”

[Friday, June 24, 2022, Q13 Voter 324, Mombasa]

The findings illustrate that Kenya's electoral system, firmly rooted in the provisions of the 2010 Constitution, draws upon various key stakeholders. This Constitution is the supreme law, outlining the legal and institutional structures underpinning electoral procedures. Foremost among these is the Independent Electoral and Boundaries

Commission (IEBC), primarily responsible for overseeing elections and referendums. The judiciary has a crucial role in resolving election-related disputes. At the same time, other important stakeholders include Parliament, county governments, the executive, the Ministry of Interior and Coordination of National Government, and the media. Additionally, voters form an essential part of the process, with the Constitution guaranteeing specific voting rights to citizens.

Despite these constitutional assurances, nearly 40% of the electorate express doubts about the IEBC's ability to accurately translate votes cast in presidential elections into a genuine reflection of the public's choice for president, political party, and government. Many argue that the current system fuels political tensions that can potentially lead to violence. A prominent example occurred in the 2007 elections when Kivuitu, the electoral chairman at the time, acknowledged uncertainty regarding the true victor of the election. Such uncertainty feeds into a perception among opposition parties that winning through legitimate avenues is unattainable, leading some to consider unlawful or even violent methods to secure power. The resulting disillusionment fosters a sense of voter apathy, particularly in regions dominated by opposition, as voters increasingly feel their participation has minimal impact. Consequently, Kenya's electoral framework appears to reinforce a form of majority rule that suppresses the rights and liberties of minority groups. Evidence from the study also points to a prevailing view among Kenyan voters that the electoral system upholds free and fair elections while safeguarding the constitutional right of citizens to vote. Article 38 of the Kenyan Constitution enshrines each citizen's entitlement to participate in elections that are regularly conducted, impartial, and reflective of the electorate's genuine will. Specifically, Article 38(3) stipulates rights for adult citizens, including (a) the right to register as voters, (b) the right to vote in any election or referendum through a confidential ballot, and (c) the right to seek public office or political

party positions and hold them upon election. Thus, the framework in Kenya upholds democratic principles by facilitating free and fair elections while protecting citizens' rights as articulated in Article 38.

The findings further reveal that a considerable number of Kenyan voters regard the electoral system as one that promotes equitable representation and fair voting practices. Article 81 of the Kenyan Constitution mandates that elective public bodies maintain a gender balance in which no single gender exceeds two-thirds of the seats, ensuring fair representation for all genders. Additionally, Article 81 requires the electoral system to embrace universal suffrage and fair representation for individuals with disabilities, aligning with broader aims to promote equality in electoral participation.

The study concludes that a significant majority of Kenyan voters believe that the electoral system includes clear processes for addressing election-related disputes. This confidence is substantiated by Article 87 of the Constitution, which directs Parliament to pass legislation creating procedures for the rapid resolution of electoral disputes. The Constitution also imposes strict timelines for filing election-related petitions, stipulating that challenges to presidential election outcomes must be filed within seven days, while petitions concerning other electoral posts must be submitted within twenty-eight days of the IEBC's results declaration. Thus, the electoral system comprises an institutional framework with the IEBC, Parliament, and the Judiciary functioning to resolve electoral disputes.

The findings also highlight the significant role of Kenya's electoral system and formula in determining how elections and referendums are conducted by the electoral body. Article 88(4) assigns the IEBC responsibility for organizing referenda and elections for any Constitutionally established office, as well as for other elections prescribed by parliamentary law. Article 138(4) further delineates presidential election criteria,

stipulating that a candidate must garner at least 25% of the votes in more than half of Kenya's counties and over 50% of the total national votes cast to be declared the winner. The results imply that most Kenyans believe the electoral system specifies qualifications for voters and candidates participating in elections. This perspective aligns with Article 83 of the Constitution, which requires that to register as a voter, one must be an adult citizen, not legally incapacitated, and free from any election-related convictions within the last five years. Additionally, the Constitution outlines eligibility requirements for various political roles, including county assembly members (Article 193), governors (Article 180), independent candidates (Article 85), members of Parliament (Article 99), the presidency (Article 137), and IEBC members (Article 88).

Moreover, the findings reveal that most Kenyan voters recognize the electoral system as shaping the framework for election campaigns. Article 38 of the Constitution guarantees each citizen political freedoms, including the right to advocate for a political party or cause. Correspondingly, Parliament is charged with enacting legislation to ensure equitable media access for political parties, whether generally or during election campaigns, and to regulate broadcasting to guarantee the fair conduct of campaigns.

In summation, this study expands our understanding of the intricate interrelationships among electoral systems, conflict dynamics, and peacebuilding processes. The practical insights derived from this research can guide policymakers, practitioners, and scholars in fostering more robust and peaceful societies.

The Consociationalism Theory holds particular relevance for the first research objective by dissecting the core attributes of Kenya's electoral management system. This theory underscores the importance of power-sharing arrangements and the representation of diverse ethnic, religious, and social groups in political decision-making. Applied to Kenya,

examining whether the electoral system has effectively included or marginalized various groups offers crucial insights into its influence on incidents of post-election violence. The theory is instrumental in assessing whether power-sharing mechanisms have alleviated grievances or exacerbated tensions. As such, this theoretical approach contributes significantly to exploring the connection between Kenya's electoral system and instances of post-election violence.

The study examined the link between Kenya's electoral management system and incidents of post-election violence since 1963. Pearson correlation and regression analyses were conducted to assess this relationship, and the results are presented in Tables 4.5 through 4.8.

Table 4. 4: Correlation Matrix: Kenya's Electoral Management System and Post-Election Violence

		Electoral Management System	
		Causes	
Causes	r	1	.685**
	Sig. (2-tailed)		.000
	N	300	300
Electoral Management System	r	.685**	1
	Sig. (2-tailed)	.000	
	N	300	300

** . Correlation is significant at the 0.01 level (2-tailed).

The results obtained from the Pearson correlation analysis demonstrate a significant and robust positive association between Kenya's electoral management system and the incidence of post-election violence, yielding a correlation coefficient (r) of .685** and a significance level (Sig.) of .000. This finding suggests that as the effectiveness and improvements in the electoral management system increase, there is a corresponding rise in post-election violence. The presence of double asterisks (**) indicates that this correlation is highly significant at the 0.01 level, meaning there is less than a 1% chance that this relationship is attributable to random factors. Consequently, one can conclude that

a meaningful connection exists between the management of elections in Kenya and the prevalence of post-election violence.

The strong and significant positive correlation between Kenya's electoral management system and post-election violence signifies that shortcomings or inefficiencies within the electoral system are intricately associated with the emergence of post-election violence. This observation is consistent with prior research conducted in Kenya and across other regions of sub-Saharan Africa, which have illustrated how problematic electoral practices, including voter intimidation, ballot tampering, and a lack of transparency, can instigate violence (Kanyinga, 2009; Klopp & Kamungi, 2008). For example, the violence that erupted following Kenya's 2007-2008 elections has been linked to widespread beliefs regarding electoral fraud and mismanagement (Cheeseman, 2008). Similar patterns have been documented in countries such as Nigeria, Mozambique and Zimbabwe, where electoral misconduct has often precipitated violent confrontations (Collier & Vicente, 2012). Table 4.6 provides the model summary derived from the regression analysis results.

Table 4. 5: Model Summary: Kenya’s Electoral Management System and Post-Election Violence

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.685 ^a	.469	.467	3.81242

a. Predictors: (Constant), Electoral Management System

The model summary presents key statistics describing the regression model's strength and fit. The correlation coefficient (R) is .685, mirroring the Pearson correlation result and reaffirming the strong relationship between the electoral management system and post-election violence. The R Square value of .469 indicates that the electoral management system can explain approximately 46.9% of the variance in post-election violence. This is a considerable proportion, suggesting that nearly half of the variability in post-election

violence can be accounted for by changes or characteristics of the electoral management system. The adjusted R Square, slightly lower at .467, accounts for the number of predictors in the model and the sample size, confirming the model's robustness. The standard error of the estimate (3.81242) provides a measure of the average distance that the observed values fall from the regression line, indicating the precision of the predictions (Biyase,2007)

The model summary reveals that the electoral management system accounts for approximately 46.9% of the variance in post-election violence (R Square = .469). This substantial explanatory power underscores the pivotal role that electoral management plays in ensuring peaceful elections. Comparative studies in sub-Saharan Africa have shown that electoral reforms and effective management can significantly reduce the incidence of electoral violence (Lindberg, 2006; Bekoe, 2012). For example, Ghana's successful electoral reforms and establishment of a credible electoral commission have minimised election-related violence (Gyimah-Boadi, 2009). Globally, the positive impact of robust electoral management systems on reducing violence is well-documented, with countries like India and Brazil illustrating how transparent and well-managed elections contribute to political stability (Banerjee et al., 2010). Table 4.7 presents the analysis of variance (ANOVA), an output of regression analysis:

Table 4. 6: ANOVA: Kenya’s Electoral Management System and Post-Election Violence

		Sum of				
Model		Squares	df	Mean Square	F	Sig.
1	Regression	3826.084	1	3826.084	263.241	.000 ^b
	Residual	4331.286	298	14.535		
	Total	8157.370	299			

a. Dependent Variable: Post-election violence

b. Predictors: (Constant), Electoral Management System

The ANOVA (Analysis of Variance) table sheds light on the overall significance of the regression model. The regression sums of squares, which amount to 3826.084, signifies the portion of variation accounted for by the model. In contrast, the residual sum of squares, totalling 4331.286, indicates the variation that remains unexplained by the model. When combined, these figures yield a total sum of squares of 8157.370, representing the overall variation in the dependent variable, which in this case is post-election violence. The mean square values are calculated by dividing each sum of squares by their respective degrees of freedom (df). The F statistic, calculated as 263.241, represents the ratio of the mean square for the regression to the mean square for the residuals, and the significance value (Sig.) of .000 demonstrates that the regression model holds high significance. This suggests that the electoral management system is a strong predictor of post-election violence, affirming the hypothesis that a substantial relationship exists between these two variables.

The ANOVA findings (F = 263.241, Sig. = .000) validate the regression model's significance, indicating that the electoral management system is pivotal in forecasting post-election violence. This conclusion aligns with the theoretical framework which asserts that the quality of electoral management significantly influences election outcomes and the associated likelihood of violence (Schedler, 2002). In the Kenyan context,

establishing the Independent Electoral and Boundaries Commission (IEBC) was intended to rectify electoral irregularities and mitigate instances of violence (Kanyinga, 2014). Nevertheless, the persistent occurrences of violence, particularly during the 2017 elections, highlight the necessity for further reforms (Mueller, 2018). Across sub-Saharan Africa, the effectiveness of electoral bodies varies; however, those exhibiting greater independence and transparency are generally associated with lower levels of violence (Norris, 2014). The regression analysis results, including the Coefficients, are detailed in Table 4.8.

Table 4. 7: Coefficients: Kenya’s Electoral Management System and Post-Election Violence

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	21.898	1.235		17.735	.000
	Electoral Management System	.488	.030	.685	16.225	.000

a. Dependent Variable: Post-election violence

The coefficients table provides specific information about the regression equation, which predicts the dependent variable, post-election violence, from the independent variable, the electoral management system. The constant (21.898) represents the expected value of post-election violence when the electoral management system score is zero. The unstandardized coefficient (B) for the electoral management system is .488, indicating that for each one-unit increase in the effectiveness or score of the electoral management system, post-election violence is expected to increase by .488 units. The standardized coefficient (Beta) of .685 confirms the strength of this relationship in standardized terms. The t value (16.225) and its associated significance level (Sig.=.000) further affirm that the electoral management system predicts post-election violence significantly.

The coefficients indicate that for each unit increase in the effectiveness of the electoral management system, post-election violence increases by .685 units ($\beta = .685$, Sig. = .000). These results underline the critical impact of electoral management on post-election violence, emphasizing the need for improvements in the electoral process to mitigate violence. Literature from sub-Saharan Africa supports the notion that while electoral management is critical, other factors such as ethnic divisions, political party dynamics, and socioeconomic conditions also play significant roles in election-related violence (Straus & Taylor, 2012). Similar findings have been observed globally, where multifaceted approaches combining electoral reforms with broader political and social interventions are necessary to mitigate violence (Reilly, 2008).

4.4 Chapter Summary

In this chapter, an assessment of the essence of Kenya's electoral management system is conducted. Based on the questionnaire and interview items, the analysis and discussions in the chapter are centered on various thematic areas. These include the general principles of the electoral system and the constitutional mandate of the IEBC. The analysis features perceptions, opinions and experiences of different respondent categories, including voters, political analysts, politicians and IEBC officials. The next chapter delves into the causes, consequences and effects of post-election violence in Kenya.

CHAPTER FIVE

CAUSES AND CONSEQUENCES OF POST-ELECTION VIOLENCE

5.0 Introduction

The study's goal was to investigate the reasons behind and effects of post-election violence in Kenya that began in 1963 (Otieno, Ochieng, Matanga, & Iteyo, 2023), (Otieno, Ochieng., Matanga., & Iteyo,2024) To achieve this, this chapter examines significant data gathered through surveys and key informant interviews. In this context, descriptive and thematic content analyses are carried out. The chapter is divided into three major sections that explore the reasons behind post-election violence and its ramifications.

5.1 Causes of Post-election Violence

The study's goal was to identify the reasons for the post-election violence that began in Kenya in 1963. To achieve these goals, respondents were asked to rate how much they agreed with various claims about the reasons for the post-election violence in Kenya. A 5-point Likert scale was used, with 1 denoting strongly disagreeing, 2 denoting disagreeing, and 3 denoting neutral. Number 4 meant "agree," while 5 meant "strongly agree." Table 5.1 presents the findings.

Table 5. 1: Causes of Post-Election Violence in Kenya

	Mean	%	S. D
“Winner-takes-it-all” election system	4.364	10.40%	0.482
Voter incitement by politicians	4.364	10.40%	0.482
Poor electoral conflict resolution mechanisms	4.275	10.19%	0.656
Disputed election outcomes	4.271	10.18%	0.464
Perceived bias of the electoral management body	4.199	10.01%	0.771
Discriminatory enforcement of electoral laws	4.161	9.92%	0.513
Impunity and incitement by politicians	4.161	9.92%	0.513
Lack of transparency in vote tallying and counting	4.098	9.77%	0.586
Weak laws on election violence perpetrators	4.098	9.77%	0.586
Perceived rigging by the electoral management body	3.97	9.46%	0.901
Overall Mean	4.196		0.596

Source: (Research Field Work Data, 2022)

Summary: This research aimed to explore the underlying causes and effects of post-election violence (PEV) in Kenya, tracing back to 1963(Ochieng et al.,2023). An in-depth examination uncovered significant insights regarding the elements that contribute to PEV and its extensive repercussions. The identified causes encompass the winner-takes-all electoral system, political incitement directed at voters, inadequate mechanisms for resolving electoral conflicts, perceived bias within the electoral management system, and unequal application of electoral laws. These factors, among others, have exacerbated tensions and violence following elections. The consequences of PEV are extensive, including property destruction, displacement of populations, economic turmoil, casualties, psychological distress, refugee crises, incidents of sexual violence, unemployment, business failures, and a deepening cycle of poverty.

According to the data presented in Table 5.1, the overall mean score was 4.196 (SD=0.596), indicating that many respondents strongly agreed with most of the items related to the causes of post-election violence in Kenya since 1963. Specifically, many respondents highlighted several key contributors, including contested election results (4.271); ineffective electoral conflict resolution mechanisms (4.275); the “winner-takes-it-all” electoral system (4.364); lack of transparency in vote counting and tallying (4.098);

unequal enforcement of electoral laws (4.161); perceived bias of the electoral management body (4.199); voter incitement by politicians (4.364); weak legal frameworks against election violence perpetrators (4.098); impunity among inciting politicians (4.161); and perceived election rigging by the electoral management body (3.970).

Voter respondents were invited to elaborate on what they believe to be some causes of post-election violence in Kenya since 1963 (Homer,2013) The consensus among the majority was that voter incitement by politicians, ineffective laws regarding election violence perpetrators, disputed election results, and inadequate mechanisms for resolving electoral conflicts were significant factors. One respondent stated:

“I believe that politicians are at the core of this issue. They incite and mobilize unemployed youth to create chaos, whether to intimidate the supporters of their opponents or to retaliate against those who did not vote for them.”

[Tuesday, June 14, 2022. Q16 Voter 5, Nairobi]

As observed in Homer (2013), An expert and voter elaborated on the role of politicians as a trigger for post-election violence, stating:

“Politicians often resort to violence to assert their positions against the opposition; they exploit violence as a means to secure or maintain power. The sense of betrayal that the public felt when Raila and Kibaki congratulated each other after signing the power-sharing agreement, despite having publicly disparaged each other, likely incited violence, as did the external pressures from the U.S. and the U.K. who financially influenced both parties to pursue peace agreements, disregarding the realities faced by Kenyans.”

[Tuesday, June 14, 2022. Q16 Voter 55, Nairobi]

Another respondent expressed the following concern:

“My frustration lies with our law enforcement and judicial system's corruption. It is rare for a politician to face legal consequences; typically, they merely pay cash bail or fines. This leniency encourages further misconduct among politicians.”

[Wednesday, June 29, 2022. Q16 Voter 101, Kisumu]

Respondents were also asked if they believed that Kenya's electoral system plays a role in post-election violence. Many participants acknowledged that they perceived a lack of independence and inherent bias within the electoral management body, as well as the grievances generated by the “winner-takes-it-all” electoral system. However, a considerable number noted that the current constitution has substantially improved the situation by establishing legal and effective mechanisms for resolving electoral conflicts, allowing aggrieved parties to challenge election outcomes through judicial means rather than resorting to violence.

One respondent commented:

“I hold the IEBC accountable for its apparent lack of independence, which often leads to favoritism toward certain political factions, particularly the incumbent government. It is my hope that we could have a fully autonomous commission that remains impervious to intimidation or bribery and does not manipulate elections in favor of specific candidates.”

[Thursday, June 16, 2022. Q16 Voter 132, Nakuru]

Another respondent agreed, stating:

“The current constitution has largely remedied the problems that historically led to post-election violence in Kenya. Now, instead of taking to the streets, dissatisfied parties can pursue legal action in court to seek justice, which is, in my view, typically granted.”

[Friday, June 24, 2022. Q16 Voter 221, Mombasa]

Similar sentiments were echoed during key informant interviews, where participants were questioned about the relationship between post-election violence and the electoral system. It became evident that notable advancements have been made in the electoral systems in Kenya to address post-election violence, with considerable credit given to the current constitution and the Elections Act. Nonetheless, some respondents indicated that the perceived lack of independence of the IEBC and the “winner-takes-it-all” system remained weak links in the process. A key informant stated:

“The last three election cycles following the adoption of the current constitution in 2010—namely, 2013, 2017, and the most recent one in 2022—have truly demonstrated the progress we have made as a nation regarding post-election violence. Particularly, the 2022 election was notably peaceful, despite being one of the most hotly contested presidential elections we have witnessed. This peace can largely be attributed to the framework established by the current constitution. However, the conduct of the IEBC was central to the recent petitions, indicating a need for reevaluation and restructuring to ensure a genuinely independent commission.”

[Thursday, June 23, 2022. Q7 Political Analyst 3, Nairobi]

Contrarily, another key informant recognized the IEBC’s efforts, claiming that the 2022 elections represented the most transparent and credible electoral process the country has experienced since gaining independence in 1963. This respondent remarked:

“We must acknowledge the commendable work done. The presidential elections of 2022 were exceptionally transparent and credible, which is why they were also the most peaceful electoral cycle in our history.”

[Monday, June 13, 2022. Q7 IEBC 2, Nairobi]

Another key informant expressed agreement with this view but acknowledged that past instances of post-election violence were significantly linked to the country's electoral system prior to the new constitution's implementation in 2010. According to this respondent, the major issues were a biased electoral commission and the absence of effective dispute resolution mechanisms. They observed:

“Indeed, in previous elections that resulted in post-election violence, particularly in 1992, 1997, and 2007, the electoral system was a key factor, especially in 2007 when the Chairman of the commission hastily swore in the president at night. There were no avenues for the aggrieved parties to seek redress, leading to public unrest. However, the new constitution has allowed for legal challenges to election outcomes, so yes, one can attribute post-election violence in Kenya to the electoral system.”

[Friday, June 17, 2022. Q8 Politician 10, Nairobi]

Key informants were also queried about the role of politicians in contributing to post-election violence in Kenya. A substantial number of respondents indicated that politicians have played a significant role in this violence, citing factors such as hate speech, incitement during campaigns, and the lack of a deterrent legal framework for offenders. One informant suggested:

“Yes, there is a significant degree of culpability attributed to politicians for post-election violence in Kenya. However, I believe it is equally important to hold media outlets, law enforcement, and the judiciary accountable. Media outlets broadcast hate speech, law enforcement often fails to prosecute offenders effectively, and the courts do not impose prison sentences. Thus, while politicians bear some responsibility for the violence, other stakeholders must also critically evaluate their roles.”

[Thursday, June 17, 2022. Q9 Political Analyst 1, Nairobi]

Another key informant concurred, stating:

“Politicians indeed contribute to post-election violence in Kenya, with the events of 2007 serving as a prime example where politicians were deeply involved in the chaos.”

[Friday, June 23, 2022. Q9 Politician 15, Nairobi]

The research aimed to explore respondents' views on whether they believe incumbency is linked to post-election violence. Many participants expressed their agreement, suggesting that incumbent leaders often resist leaving office and may misuse state resources to influence the electoral process, including manipulating the electoral management body. This manipulation frequently leads to allegations of electoral fraud and the subsequent outbreak of post-election violence. Respondents referenced the administrations of Presidents Daniel Moi during the elections of 1992 and 1997, as well as Mwai Kibaki in 2007, as examples of this phenomenon. One respondent elaborated on this issue by stating:

“Incumbency has long been a thorn in the flesh of the electoral system in Kenya. No sitting president is quite ready to lose, or at least before his two terms elapse. This has always been a recipe for chaos. Take the late Presidents Daniel Moi in 1992 and 1997 and Mwai Kibaki in 2007, for example.”

[Thursday, June 23, 2022. Q10 Political Analyst 4, Nairobi]

Another respondent echoed these sentiments, claiming that:

“Incumbent presidents are known to use state resources and bend laws in their favor just to retain power. This is primarily what led to the 1992, 1997, and 2007 clashes.”

[Friday, June 17, 2022. Q10 Politician 12, Nairobi]

The investigation further sought insights from key informants regarding their views on whether elections are the primary cause of violence or if deeper issues contribute to the post-election unrest. The findings indicated that many respondents perceive underlying tribalism and ethnic divisions as the true drivers of post-election violence in Kenya. Respondents noted that there is a prevalent belief that an incumbent president will prioritize their ethnic group when it comes to development initiatives and key government appointments. This perception is particularly evident in public sector employment trends. A respondent highlighted this issue by stating:

“There is an underlying ethnic division in the country since independence, which trickles down from the top to the common mwananchi. This is where, especially in the public sector, jobs are dominated by a few ethnic communities that have their persons in key positions. This leaves other qualified Kenyans disenfranchised, planting animosity in their psyche towards people from the other ethnic communities.”

[Thursday, June 17, 2022. Q10 Political Analyst 10, Nairobi]

An expert provided a historical overview of how elections have evolved into a volatile affair over the years, explaining:

“Although elections have been held in Kenya continuously since 1963, by no means were they free and fair. Elections occurred in 1969, 1974, 1979, 1983, and 1988, but the only candidates at that time were Jomo Kenyatta and Daniel Arap Moi, who both retained their positions without any real challenge. Even after the reintroduction of multiparty politics

and elections in 1992, Moi maintained his office despite receiving a smaller number of total votes compared to the combined total of the opposition candidates.”

She continued her account, recalling:

“I was at the university pursuing my PhD in political science at the time, and I remember thinking, ‘The election in 2002 was significant.’ I also believed that we could genuinely make a difference in the world. It really boosted people's optimism. People came together. ‘I wish we could have continued along that path.’”

She expressed her belief that the Anglo-Leasing scandal, which involved widespread corruption and implicated the President and his associates, marked the beginning of a troubling trend.

“During that period, our President went silent. A plane crash took the lives of six members of Parliament. Kibaki didn’t utter a word. Furthermore, they had signed a memorandum of understanding, but nothing materialized; he backed out of that agreement with much contempt. Anger simmered because this echoed what had happened to his father with Kenyatta. Jomo Kenyatta had been imprisoned under British rule, with Odinga advocating for his release. Later, he was appointed as vice president, but the Kenyatta elites from Mount Kenya established a weak and ineffective position for him. More critically, Odinga perceived that Kenyatta had no genuine intent to fulfill the independence promise (Odinga, 1967). Consequently, he, along with 28 lawmakers, defected from KANU to establish the Kenya Peoples Union (KPU), which Kenyatta promptly outlawed.

Since 1963, the presidency has wielded an extraordinary degree of power in Kenya. A new constitution aimed at addressing these issues was one of the platforms promoted by the National Rainbow Coalition, Kibaki's party. The speaker emphasized that Kibaki ensured

that the new constitution, which was promised within 100 days, never materialized. She reflected on how, as they approached the elections, it seemed that nothing had changed since Kenyatta's and Moi's administrations. "Many people registered with me; we only wanted Kibaki gone, just like we wanted Moi and Kenyatta before him. The issue is that we fail to consider what can be done to enhance the nation. This is how we have been politically conditioned."

The speaker drew parallels to colonial times, stating:

"When the colonizers arrived in Kenya, they partitioned the territory into eight provinces along tribal lines to segregate people into different areas, enabling them to seize the Rift Valley, which is the most fertile land we possess for their agriculture and other endeavors. This is where the tribal issue originated. Moreover, there were a few intermediaries and collaborators, or whatever you want to call the local individuals who allied with the colonizers. They were the ones you could approach for assistance with supplies, fertilizers, or other needs. You would speak to the local person, provide them with something, and they would communicate with the colonizers to facilitate your needs, which represents the historical context of bribery here. However, when the colonizers departed, to whom did they transfer their land? Those who had assisted them."

"People like Kenyatta came to prominence. He was awarded extensive tracts of land and felt compelled to reward those who had supported him. Many of them, of course, belonged to his ethnic group, and he allocated ninety per cent of the Rift Valley, which rightfully belonged to the Kalenjin and similar groups. Consequently, the majority of those internally displaced in the Rift Valley were Kikuyu. The roots of tribal division go back a long way and have been exploited to set people against each other, which is a tactic still in use today.

‘Divide and rule,’ as Moi termed it. It has proven effective; this is the history I have shared with you. If you listen to a Kikuyu narrative, it might present a somewhat different perspective.”

[Thursday, June 17, 2022. Q2: Political Analyst 20, Nairobi]

Another voter attributed the post-election violence to politicians’ actions:

“People felt—I felt—the entire situation was exacerbated and incited by politicians because these individuals have coexisted for many years. They have forged friendships and, in some cases, have intermarried. I could not comprehend the origin of that animosity. At no point would we have anticipated such extreme violence occurring among humans.”

[Friday, June 24, 2022. Q16 Voter 180, Mombasa]

One voter expressed reluctance to discuss the subject of post-election violence in Kenya: “This is a topic most of us prefer not to revisit. Let’s forget and move on.” “If we begin arguing here, it won’t lead us anywhere. If you mention rigging, both parties engaged in rigging. Everyone present here is unsure; we don’t know who won.”

[Friday, June 24, 2022. Q16 Voter 40, Mombasa]

This sentiment was corroborated by other key informants, who remarked:

“The fundamental issue here, which we cannot evade, is tribalism. We are desperate to elect our own so that we are not excluded from development and opportunities if the other community triumphs.”

[Friday, June 17, 2022. Q10 Politician 20, Nairobi]

This concern was evident in the 2022 general elections, during which President William Ruto of the Kenya Kwanza coalition appointed 50% of Cabinet Secretaries and Principal Secretaries from the Rift Valley and Central regions, where he garnered significant support. Another key informant affirmed:

“The primary underlying issue is a lack of trust in our institutions among a segment of Kenyans, which is mainly driven by tribalism. We fear that if the IEBC is composed of commissioners from a particular tribe with a presidential candidate, they will rig elections in favor of that candidate.”

[Monday, June 23, 2022. Q10 IEBC 1, Nairobi]

Respondents were further queried regarding whether they believed a new electoral system should be implemented to mitigate or prevent violence in future elections. A majority expressed agreement, contending that the current system is heavily influenced by ethnic considerations, which often leads to ethnic conflicts. However, some dissenters noted that the current constitution, along with subsequent Acts of Parliament, including the Elections Act and its amendments, are addressing the identified issues, resulting in progressively improved and more peaceful elections. One key informant noted:

“The electoral system utilized in Kenya primarily follows the First Past the Post model. This type of electoral system involves voters indicating their preferred candidate on the ballot, a practice adopted from the colonial regime. This system is the source of the highly

divisive nature of elections in Kenya. It fosters campaigns that are centered around personalities and ethnic identities, ultimately leading to the disintegration of the country's social fabric.”

[Thursday, June 23, 2022. Q11 Political Analyst 4, Nairobi]

Another informant concurred:

“In my view, addressing the divisive nature of the current electoral system requires an examination of alternative models, such as Proportional Representation (PR) and Mixed Member Representation (MMR), as these systems are inherently more inclusive and lead to fairer representation for the populace.”

[Monday, June 13, 2022. Q11 IEBC 2, Nairobi]

In contrast, a significant informant expressed a differing perspective, stating,

“I do not believe that would be akin to 'throwing the baby out with the bathwater.' We have made considerable progress over the years, and one can agree that elections have become increasingly peaceful with each passing cycle; it is essential for us to learn from each election and address any shortcomings we identify. This learning process is ongoing, facilitated by the new Constitution and the Election Act.”

[Thursday, June 23, 2022. Q11 Political Analyst 10, Nairobi]

Another key informant echoed this sentiment by stating,

“No, our focus should be on addressing the issues related to our ethnic politics. We must shift away from a system centered around personality-driven politics, often dominated by ‘tribal chiefs,’ and instead embrace a political landscape that prioritizes issues, principles, and party philosophies.”

[Friday, June 17, 2022. Q11 Politician 17, Nairobi]

This viewpoint was further confirmed by another key informant who asserted, “I do not believe that would resolve our issues. We are beginning to observe positive changes in the landscape of post-election violence, particularly following the 2022 general elections. It appears that Kenyans are starting to prioritize issues over ethnic affiliations, which have historically been the root cause of violence.”

[Friday, June 17, 2022. Q11 Politician 20, Nairobi]

When asked what changes they believe are necessary to improve the current electoral system and ensure peace for all Kenyans after presidential elections, a significant majority recommended enhancing the IEBC's independence and fostering political will. One informant suggested, “First, we need to ensure that the IEBC operates free from political interference. This includes everything from the appointment of commissioners to the sourcing of funding. We must fortify the Commission by benchmarking it against similar entities in more advanced democracies.”

[Thursday, June 23, 2022. Q12 Political Analyst 7, Nairobi]

Another individual expressed, “We need to reform our political practices. Our political landscape and electoral processes should be based on manifestos rather than ethnic affiliations. I am genuinely pleased that we took a step in this direction with the 2022 presidential elections, and I hope we continue down this path.”

[Friday, June 17, 2022. Q12 Politician 8, Nairobi]

Yet another informant added,

“It is imperative that we foster trust in our institutions. Just as we rely on our courts to resolve disputes and handle petitions, we should extend that same level of trust to the

IEBC. We must have confidence in our ability to conduct elections that are free, fair, and credible, similar to what we witnessed during the recently concluded 2022 presidential elections. I believe it will be even better next time.”

[Monday, June 23, 2022. Q12 IEBC 1, Nairobi]

As a follow-up, key informants were questioned regarding whether electoral bodies, such as the IEBC, have contributed to post-election violence in Kenya and the extent to which the perceptions of politicians and voters regarding the IEBC’s electoral malpractices might influence such violence. The findings indicated that most respondents acknowledged that electoral bodies, including the IEBC, have played a substantial role in instigating post-election violence in Kenya. This is largely attributed to the ongoing accusations of election rigging directed at presidential elections by both politicians and voters. This sentiment was particularly prominent after the controversial swearing-in ceremony in 2007, which subsequently led to widespread violence. A respondent noted,

“The involvement of electoral bodies in the escalation of post-election violence became evident in 2007, especially after the controversial swearing-in ceremony, where the then Chairman openly admitted his uncertainty regarding who had won the elections.”

[Thursday, June 23, 2022. Q13 Political Analyst 6, Nairobi]

Another informant remarked,

“Yes, the belief that the IEBC is compromised has been a leading factor in the numerous electoral petitions filed at the presidential level during each election cycle since 2013. This situation was a key driver of the post-election violence in 2007/2008 involving the ECK.”

[Friday, June 17, 2022. Q13 Politician 16, Nairobi]

A key informant concurred but quickly specified the 2007 incident, adding that the commission has seen improvements due to judicial decisions made under the current constitution. They stated, “Electoral commissions can only be directly linked to post-election violence in the context of the 2007 elections. However, with establishing the IEBC under Article 88 of the Constitution of Kenya, 2010, we have made concerted efforts to deliver credible elections, despite ongoing political interference.”

[Monday, June 23, 2022. Q13 IEBC 2, Nairobi]

When questioned about potential strategies to enhance the trust and confidence of the Kenyan populace in the IEBC’s ability to conduct free and fair elections, most respondents highlighted the necessity of implementing judicial decisions, reforming electoral laws, and reviewing the commission itself. One informant commented,

“The IEBC must undertake a thorough review and implementation of the court’s decisions in Kenya regarding electoral matters. Subsequently, it should initiate significant operational and administrative actions to rehabilitate its image.”

[Thursday, June 23, 2022. Q14 Political Analyst 13, Nairobi]

Another respondent asserted,

“There is an urgent need for comprehensive electoral law reforms within the country, with a particular emphasis on the conduct and independence of the IEBC.”

[June 17, 2022. Q14 Politician 20, Nairobi]

A key informant further added,

“We require political goodwill to alter the public's perception of the commission. On our part, we have made notable improvements in our election management processes. Kenyans can trust us to act impartially.”

[Monday, June 13, 2022. Q14 IEBC 2, Nairobi]

During interviews with security personnel and members of the county administration, key informants were requested to describe the trend of post-election violence in Kenya from a security perspective. It became evident from these interviews that the recent elections in Kenya have heightened tensions nationwide, as many citizens were apprehensive about a potential repeat of the violence experienced during the 2007/2008 elections, which resulted in the loss of over 1,200 lives and displaced more than 600,000 individuals from their homes. Following the 2022 general elections, many people continued to express concerns about the possibility of violence despite the predominantly peaceful electoral process observed in the preceding two elections. An informant remarked,

“As with prior elections, the nation came to a halt, with most businesses closing and people remaining indoors for the majority of the election week. Residents of cosmopolitan regions like Nairobi also chose to retreat to rural areas perceived as safer due to ethnic homogeneity. Others with the financial means opted to leave the country while awaiting the election results.”

[Tuesday, June 21, 2022. Q1 Security 3, Nairobi]

Key informants from security personnel and county administration were further asked to elaborate on the extent of the security services provided by security personnel and the provincial administration in the aftermath of post-election violence in Kenya. It was determined that a police officer designated as election security personnel is accountable to the respective IEBC Elections Officer for ensuring security at the locations where

candidate nominations occur, protecting the voting process at polling stations, overseeing the counting and tallying of votes, and providing security for election officials as well as during the transport of election materials and equipment. (Institute of Development Studies. n.d., International Center for Not-For-Profit Law. N.d.) According to an informant,

“Any Police Officer assigned to provide security during elections is given specific duties and is subject to the direction and guidance of the IEBC Election Officer at the Polling Station and/or Tallying Centre. The Police Officer collaborates with the IEBC Election Officer to ensure the effective execution of all activities related to the election process.”

[Tuesday, June 21, 2022. Q2 Security 5, Nairobi]

Another informant added,

“Police officers will generally cooperate with IEBC Election Officers during the election period to ensure that any security challenges or threats that could compromise the integrity of the elections are managed effectively and efficiently. The police officers in their operational areas will undertake all necessary actions to maintain law and order and the stability required for the conduct of elections while also protecting and upholding the rights of all individuals in accordance with any relevant election-related legislation.”

[Tuesday, June 21, 2022. Q2 Security 6, Nairobi]

Finally, key informants from security personnel and members of the county administration were again asked to provide their insights from a security perspective regarding the underlying causes of post-election violence in Kenya. The study identified several factors contributing to post-election violence, viewed through a security lens. These factors

include politicians who promote animosity through ethnic incitement, the denigration of others, or incitement to violence; as well as actions aimed at obstructing, disrupting, dismantling, or otherwise interfering with meetings, rallies, or demonstrations organized by opposing political parties or their leaders. One informant conveyed that:

“...the most prevalent causes of insecurity that lead to post-election violence in Kenya include the establishment or maintenance of paramilitary forces, militias, or similar organizations, as well as having affiliations with such groups; furthermore, engaging in or promoting any form of intimidation directed towards opponents, other individuals, or political parties is also a significant factor...”

[Tuesday, June 21, 2022. Q3 Security 2, Nairobi]

Key informants from security personnel and county administration were asked to discuss the role of security forces and local administration in mitigating post-election violence in Kenya. The study revealed that the police are tasked with ensuring security during electoral processes, protecting and assisting to enable peaceful and orderly elections, securing IEBC assets, and responding promptly to reports of electoral malpractice from citizens and electoral officials.

Additionally, the study noted that the specific security needs of each election might necessitate the involvement of various security agencies, such as the Kenya Prison Service, Kenya Wildlife Service, and Kenya Forest Service, alongside the National Police Reserve, all under the command of the Inspector General of the National Police Service (Institute of Development Studies. n. d). One informant remarked:

“...to deter violence, voters were encouraged to turn home immediately after voting, and politicians were cautioned against instigating conflict. The police also indicated that over

150,000 state agents would be deployed to ensure electoral security...” [Tuesday, June 21, 2022. Q4 Security 1, Nairobi]

Another informant observed:

“...The behavior of the police during these elections indicates that violence can be minimized if protests are effectively managed. This responsibility lies not just with the police, but also with protesters and politicians...”

[Tuesday, June 21, 2022. Q4 Security 3, Nairobi]

Respondents were also queried about the impact of police reforms on reducing post-election violence in Kenya. Participants indicated that reforms have fostered positive police-civilian relations, which have facilitated effective collaboration between the police and the public, helping both parties to understand their respective roles and expectations during elections. A key informant noted:

“...Police reforms have significantly ensured that police responses are proportionate to the level of force employed by protesters. This means, for example, that officers only return fire in response to being attacked first. The reforms have resulted in police actions being compliant with the law, ensuring the use of force is necessary to protect the lives and property of Kenyans...”

[Tuesday, June 21, 2022. Q5 Security 6, Nairobi]

Key informants were also consulted regarding the roles of legislators, the judiciary, the IEBC, and politicians in preventing future post-election instability. It was found that these stakeholders are crucial within the electoral framework, each playing a vital role in averting instability. Participants suggested that parliament should continually refine the

Elections Act through progressive amendments that address gaps identified after each election. Respondents also recommended that the judiciary maintain its independence and impartiality in adjudicating election petitions. Furthermore, it was advised that the IEBC should implement various judicial decisions made over the years and uphold fairness, transparency, and impartiality during elections. Politicians were encouraged to engage in issue-based politics and refrain from inciting violence among their supporters, particularly during campaigns (Kenya Human Rights Commission,2008)

The findings suggest that a major cause of post-election violence in Kenya since 1963 is voter incitement by politicians. These politicians often exploit uninformed and unemployed youth to instigate violence to intimidate or retaliate against perceived rival supporters. Ethnicity exacerbates this issue, leading to attacks on voters from certain tribes believed to have supported opposing candidates. This pattern was especially prominent in election cycles prior to the enactment of the new Constitution of Kenya in 2010, notably during the elections of 1992 and 2007.

These findings align with Brosche et al. (2020), who noted that contemporary Kenyan elections have been marred by the use of hate speech and derogatory language by those in power to gain electoral advantages, alongside numerous human rights violations and electoral misconduct involving violence and threats (Kenya Human Rights Commission,2008), Dercon and Gutierrez-Romero (2012) also reported that disruptions and violence are ingrained in the political culture of Kenya, where politicians often act as perpetrators, financiers, or inciters of such incidents. Similarly, Klaus (2020) highlighted the long-standing prevalence of hate speech and incitement to violence in Kenya, which contributed to the unsuccessful prosecution by the International Criminal Court of President Kenyatta and Deputy President William Ruto.

Another significant cause of post-election violence identified in the study is disputed electoral outcomes and ineffective conflict resolution mechanisms. Before the 2010 Constitution, mechanisms for resolving electoral disputes were largely inadequate. Losing candidates often lacked clear recourse for their grievances regarding allegations of rigging, leading to violent protests to express dissatisfaction. However, introducing the Supreme Court under the new constitution established a clear legal process for contesting presidential election results. This was evident in the 2013, 2017, and 2022 presidential elections, which were notably more peaceful, despite some violence during protests in 2013 and 2017, but significantly less than in previous elections.

These findings corroborate Klaus and Mitchell's (2015) assertion that elections inherently generate disputes as they revolve around the contest for political power. Effective electoral dispute resolution is essential to mitigate electoral violence and maintain the legitimacy of election outcomes, as it enhances public confidence in the electoral process and encourages civic participation. Similarly, Kamande (2021) noted that Kenya's relatively peaceful elections and transitions of power in 2013 were heavily influenced by the judiciary's adept handling of electoral complaints, even in a context marked by ethnic tensions and a lack of public trust in democratic institutions.

The study also identifies another significant factor contributing to post-election violence in Kenya, which dates back to 1963, as the inadequacy of laws addressing the actions of those who incite violence, especially politicians. To date, no politician has been successfully prosecuted or faced significant consequences for such actions. Typically, these individuals are released on bail, allowing them to evade real accountability while their cases languish in lengthy judicial processes. For example, during the 2022 elections, one politician faced allegations of murdering a rival's aide but was released on bail while

investigations continued. Such leniency may encourage other politicians to act without fear of repercussions.

This finding aligns with Rasmussen's (2018) assertion that those who orchestrate ethnic violence in Kenya operate with considerable impunity. Since the early 1990s, there have been minimal arrests and even fewer successful prosecutions of violent offenders. Boone (2011) supports this, noting that political challenges hindered the establishment of a local tribunal to hold accountable those responsible for violence during the 2007 and 2008 elections. Additionally, the International Criminal Court's cases against six individuals alleged to be primarily responsible for the post-election violence fell apart. Similarly, Okia (2011) argues that influential figures associated with violence exploit their power over the justice system to undermine prosecution efforts.

The findings suggest that Kenya's "winner-takes-all" electoral framework significantly contributes to post-election violence, extending back to 1963. Under this plurality voting system, the victorious candidate's party monopolizes the executive branch, leaving the losing candidates without representation, regardless of their vote share. These dynamics foster a sense of injustice among the losing party, who may resort to violence to express dissatisfaction. In contrast, alternative electoral systems, such as proportional representation, could mitigate the issue of "wasted votes" by ensuring that almost all votes impact the election outcome, potentially enhancing voter engagement and reducing electoral disparities.

This conclusion is supported by Willis and Chome (2014), who argue that in a "winner-takes-all" environment, Kenyan politics often revolves around personalities rather than ideologies. The winning candidate is perceived as a champion for their party and ethnic group rather than for the nation as a whole, increasing the likelihood of violence as those excluded from governance become frustrated (Kimani, 2018). Similarly, Bekoe (2012)

indicates that the winner-takes-all structure promotes electoral violence and corruption, suggesting that proportional or mixed-member proportional representation might be more suitable for Kenya.

The findings further indicate that incumbency plays a crucial role in post-election violence, as incumbent leaders often resist leaving office and may misuse state resources to manipulate the electoral process, including the electoral management body. Taylor et al. (2017) highlight that electoral violence tends to be more prevalent during both the pre-election period and after elections when the incumbent is seeking reelection. This trend can be attributed to loyal supporters who may resort to violence to protect a reliable incumbent. Conversely, when an incumbent is not running for office, supporters may be less inclined to engage in violence due to the uncertainty surrounding the reliability of new contenders.

The data also point to a lack of transparency in vote counting and tallying as a significant contributor to post-election violence, a pattern evident in the 2013 and 2017 general elections. In 2013, petitioners claimed the Independent Electoral and Boundaries Commission (IEBC) failed to comply with legal requirements to electronically transmit election results, undermining the credibility of the presidential election. In 2017, allegations arose that the tallying process was manipulated using a prearranged algorithm favoring the incumbent Jubilee party, leading petitioners to request a forensic audit of the IEBC's servers. To enhance transparency, the IEBC took measures in 2022 to electronically submit all Form 34As to a public portal, facilitating parallel tallying by political parties.

This conclusion is supported by Shugart et al. (2018), who emphasize that transparency is vital for electoral governance, as it allows stakeholders to monitor and ensure the integrity

of elections. A report by Mosero (2022) indicated that the controversial 2017 elections led to the annulment of presidential results partly due to transparency issues. Long (2022) also noted that the commission improved transparency in 2022 by clarifying the results transmission process and conducting nationwide tests of the management system, encouraging media and public participation in parallel tallies.

The study's findings further suggest that perceived bias and allegations of rigging by the electoral management body are major contributors to post-election violence in Kenya, with these sentiments leading to unrest following the 2007 elections and influencing the petitions that followed the 2013 and 2017 elections. In 2007, the credibility of the then-electoral body, the Electoral Commission of Kenya (ECK), was severely compromised when its chairman, Mr. Samwel Kivuitu, expressed uncertainty about the election results. This occurred after he declared Mr Mwai Kibaki the winner amid intense disputes, with the opposing candidate, Mr Raila Odinga, alleging widespread rigging. The current IEBC has faced similar accusations, underpinning presidential election petitions in 2013, 2017, and 2022.

These findings are consistent with those of Willis and Chome (2014), who determined that extensive electoral fraud, including vote-rigging in numerous constituencies, ballot box tampering, and results-altering officials, was a key driver of the post-election violence witnessed in 2007. Schulz-Herzenberg et al. (2015) further confirm that electoral fraud instigated the 2007 crisis, with many Kenyans viewing the ECK's cheating in the presidential elections as a profound betrayal of their aspirations for change. Protests erupted even before the official announcement of results on December 30, spurred by delays and discrepancies that raised concerns about possible manipulation.

5.2 Consequences of Post-Election Violence

This study aimed to explore the repercussions of post-election violence in Kenya since 1963. To further investigate this, respondents were asked to evaluate their level of agreement with various statements regarding the impact of post-election violence in Kenya. A five-point Likert scale was employed, where 1 indicated strong disagreement, 2 signified disagreement, 3 represented neutrality, 4 denoted agreement, and 5 indicated strong agreement. The findings are summarized in Table 5.2.

Table 5. 2: Consequences of Post-election Violence

	Mean	%	S. D
Destruction of private and public properties	4.364	10.32%	0.482
Internally displaced persons	4.339	10.26%	0.608
Economic instability	4.331	10.24%	0.471
Casualties	4.314	10.20%	0.608
Emotional and psychological distress	4.275	10.10%	0.656
Refugees	4.246	10.04%	0.625
Sexual violence victims	4.208	9.95%	0.586
Unemployment	4.161	9.84%	0.513
Collapse of businesses and loss of revenue	4.098	9.69%	0.586
Poverty	3.970	9.38%	0.901
Overall Mean	4.231		0.604

Source: (Research Field Work Data, 2022)

Upon scrutinizing the findings in relation to the specified objectives, several key points surface: 1. The findings underscore the profound implications of post-election violence in Kenya, as perceived by the respondents, since the country's independence. The consistently high mean scores across various consequences indicate a unanimous consensus among the respondents regarding the severity of these impacts. Furthermore, the overall mean score accentuates the substantial overall impact of post-election violence

on multiple facets of Kenyan society and the economy. 2. The revealed results are aligned with the research objective of discerning the aftermath of post-election violence in Kenya. These findings provide valuable insights into the multifaceted repercussions of post-election violence, spanning from physical devastation to economic turmoil and social distress. Comprehending these consequences is pivotal for policymakers and stakeholders to devise effective strategies to thwart and alleviate post-election violence and its aftermath. 3. An unexpected finding is the relatively lower mean score for the consequence of poverty than other impacts. This incongruity may signify that respondents perceive other consequences like property destruction and displacement as more immediate and severe. Additionally, the variability in mean scores across different consequences, with some possessing higher standard deviations than others, may reflect diverse perceptions among respondents concerning the severity of these different consequences. 4. The implications of these findings underscore an exigent requirement for initiatives to prevent and address post-election violence in Kenya, given its extensive and devastating aftermath. Policymakers should prioritize measures to fortify electoral systems, promote peaceful dispute resolution mechanisms, and address the root causes of violence to mitigate these impacts. Humanitarian and developmental interventions are imperative to provide support to affected communities and alleviate the socio-economic repercussions of post-election violence, including displacement, unemployment, and loss of livelihoods. Additionally, civil society organizations and international partners should play a pivotal role in supporting initiatives to foster peace, promote reconciliation, and address the underlying grievances contributing to the violence.

The findings shown in Table 5.2 reveal a collective mean score of 4.231 ($SD=0.604$), suggesting that most participants strongly agree with most of the items presented regarding the repercussions of post-election violence in Kenya since 1963. Respondents specifically

emphasized that post-election violence has resulted in severe outcomes, such as casualties (4.314), internally displaced individuals (4.339), refugees (4.246), victims of sexual violence (4.208), and widespread destruction of both private and public properties (4.364). Additional significant impacts included the collapse of businesses and corresponding revenue losses (4.098), a surge in unemployment (4.161), increased poverty levels (3.970), emotional and psychological distress (4.275), and overall economic instability (4.331).

Table 5.2 highlights that a large proportion of respondents strongly concurs with most of the items related to the repercussions of post-election violence in Kenya, which encompass casualties (4.314), internally displaced individuals (4.339), refugees (4.246), sexual violence victims (4.208), extensive damage to public and private properties (4.364), business collapses and loss of revenue (4.098), higher unemployment rates (4.161), elevated poverty (3.970), emotional and psychological distress (3.275), and broader economic instability (4.331). These findings align with previous research, demonstrating that the ramifications of election-related violence can be severe and enduring, affecting individuals and communities alike. Alongside immediate human suffering, which includes death, injury, and forced migration, post-election violence has long-lasting impacts on social and economic development, as well as on political stability and the democratic process (UNDP, 2009). A critical effect of post-election violence is the erosion of trust in democratic systems. When citizens lose faith in the electoral system or perceive that their voices are unheard, it can lead to a breakdown in civic participation, which risks further instability and conflict (Matanga, 2018). Additionally, post-election violence often displaces people, forcing them from their homes in search of refuge, which can lead to long-term socio-economic challenges and exacerbate pre-existing ethnic or religious tensions (UNDP, 2019).

Humanitarian organization representatives provided insights into the extent of services their respective agencies provide following post-election violence in Kenya. For instance, under the Ministry of Interior and Coordination of National Government, the National Disaster Operations Centre is pivotal in overseeing the country's humanitarian initiatives. This centre leads the National Elections Contingency Plan, coordinating the efforts of the Kenyan government, UN entities operating within Kenya, NGOs, and civil society organizations. A key informant commented:

“.....The strategy is centred around eight decentralized humanitarian hubs. Each hub is led by various agencies and organizations, functioning as coordination, logistics, storage, and distribution centres. This framework was also implemented during the 2013 and 2017 elections....”

[Wednesday, June 8, 2022. Q1 Humanitarian 1, Nairobi]

It was further established that the Kenya Red Cross Society (KRCS), the nation's largest humanitarian body, assumes leadership roles at each of the eight hubs. KRCS was instrumental in the 2007 post-election response, providing critical services such as Water, Sanitation, and Hygiene (WASH), camp management, protection, recovery, and reconstruction. Although operating independently, KRCS collaborates closely with the government to ensure an efficient response. A respondent remarked:

“.....During pre-election monitoring, KRCS identified 18 counties as potential hot spots; however, the focus was narrowed to eight counties as the election approached. In partnership with the United Nations, the Kenyan government pinpointed similar areas of concern. KRCS has primary responsibility for disaster responses affecting up to 150,000 individuals, so it currently holds the lead position. In the event of displacement, the hub

coordination system will be activated," said James Mwangi, KRCS Operations Manager....”

[Wednesday, June 8, 2022. Q1 Humanitarian 2, Nairobi]

Further input from humanitarian representatives illuminated how they prepare for emergencies that may arise from election-related violence. It was discovered that during each electoral cycle, the humanitarian sector in Kenya begins to activate well-established contingency plans as soon as violence erupts, often having prepared for over a year. A respondent explained:

“.....The government, aid groups, and civil society engage in extensive planning to anticipate any conflicts that might arise before or after the election, developing possible scenarios and contingency strategies, and working to address any gaps identified in the weeks leading up to the election....”

[Wednesday, June 8, 2022. Q2 Humanitarian 3, Nairobi]

Another humanitarian representative added:

“.....Aid groups have delineated national responsibilities, allowing different organizations and agencies to lead in specific areas. This approach aims to optimize efficiency and mitigate harm. Elements of these plans have already been implemented in certain locations, such as Nairobi and Kisumu, where instances of violence have already occurred....”

[Wednesday, June 8, 2022. Q2 Humanitarian 4, Nairobi]

The study also uncovered that Kenya hosts a country director’s forum for foreign NGOs, through which a dedicated election planning committee was formed. Members of this

panel aimed to deepen their understanding of how the election could unfold in the lead-up to the event. One respondent noted:

“... In July, organizations including Action Aid, Islamic Relief, Trócaire, and World Vision International—affiliates of the Start Network, a global network of NGOs—requested funds through the Analysis for Action grant to perform an inter-agency context analysis centred on the election. The organizations leveraged funding from the Start Network’s Start Fund, a pioneering multi-donor financial pool that enables NGOs to access pre-crisis funding....”

[Wednesday, June 8, 2022. Q2 Humanitarian 5, Nairobi]

Utilizing a tool from World Vision International, NGOs identified gaps across eight humanitarian centres lacking sufficient resources, referred to as the Good Enough Context Analysis for Rapid Response. Through discussions with over 300 community members over a two-week period, the organizations pinpointed potential hot zones lacking adequate coverage. This assessment exposed several resource and coverage gaps across specific parts of the nation. The Start Network, upon identifying these deficiencies, triggered an “anticipation alert” which unlocked approximately \$390,000 for pre-emptive actions aimed at alleviating potential election-related disruptions.

During episodes of post-election violence in Kenya, insights from key informants within humanitarian organizations revealed an urgent need for these organizations to mobilize rapidly. They typically deploy response teams onto the streets to assess the scale and nature of violence, identify urgent needs, and extend assistance to those injured. This includes pre-hospital care and transporting individuals to safety through medical evacuations. A substantial number of severe injuries, such as gunshot wounds, have been managed by these organizations across affected areas.

One key informant provided an account:

“...We operate ambulance services, receiving patients with injuries, evacuating and treating those affected. We are preparing for any potential scenario. Although we hope for a peaceful resolution, there remains a possibility that the violence could escalate, potentially affecting other regions in Kenya, like the central areas....”

[Wednesday, June 8, 2022. Q3 Humanitarian 5, Nairobi]

Another informant shared:

“...Kenya's previous experiences with post-election violence have instilled in the humanitarian community an acute awareness of risks this time around. The 2007 violence led to more than 1,000 deaths and displaced approximately 600,000 people. Following the last election, smaller conflicts and instances of displacement were also reported. This collective memory, coupled with the unresolved issues that initially fueled the violence, has prompted proactive efforts to implement comprehensive plans aimed at mitigating violence in anticipation of this year's election...”

[Wednesday, June 8, 2022. Q3 Humanitarian 6, Nairobi]

As validated in Homer (2013), A voter provided a recollection of events:

"The outbreak here was sudden, unlike in other regions. It quickly escalated beyond just election-related violence. Many businesses were significantly impacted, with some properties being looted and others set ablaze. In areas such as Olympic, all the shops were destroyed; everything was burnt to the ground. Kibera, particularly, faced severe allegations, including cases of forced circumcisions in broad daylight, predominantly affecting the Laini Saba area, which has a large Kikuyu and Kamba population. Alarming numbers of rape incidents, and even cases of defilement involving minors, were reported,

especially in Laini Saba and Mashinani. Moreover, police violence resulted in many deaths. In Kibera, particularly around Kachwakera and areas predominantly inhabited by the Luo community, civilian killings were minimal. Most deaths resulted from police shootings."

[Tuesday, June 24, 2022. Q9 Voter 48, Nairobi]

A victim from Eldoret shared a harrowing experience:

"My husband and I lived on our farm outside Eldoret. We had a modern home, fully equipped, along with many dairy cows. On election day, we woke up early, cast our votes, and returned home, awaiting the results. The Sunday before the announcement, one of our workers approached our farm manager, saying, 'Are you people still here when we're coming to kill you today?' My husband is Kikuyu, and I am Kamba. We didn't have time to pack; we grabbed a file containing our passports, title deeds, and other critical documents, then headed to town. Later, more than 700 young men gathered, with one addressing the crowd, saying, 'This is your property; you have a right to it.' Our watchman called later, saying he was powerless. They declared, 'These individuals came to our land and amassed wealth. All of you, take whatever you wish.' They took everything."

[Friday, June 24, 2022. Q19 Voter 22, Eldoret]

Another voter, reflecting on the perpetrators of post-election violence, remarked:

"I do not know the identities of those involved, and frankly, I don't wish to know, as it would only lead me to anguish and overthinking... I refuse to dwell on it. Even the thought of identifying them fosters divisions; it builds walls of separation. I recall hearing that our landlord may have had some involvement or influence in the violence. That's part of why I've chosen never to return to our old home; I don't want to encounter her and be forced to relive that trauma."

[Friday, June 24, 2022. Q9 Voter 26, Eldoret]

Another voter elaborated on the enduring trauma experienced by victims of post-election violence:

"Many people have their own ideas about how Kenya should move past the scars of election violence. But if you've lost family members, if your livelihood has been stripped away, it's impossible to simply move on. For those who have lived in internally displaced persons (IDP) camps, how can they simply let go?"

[Thursday, June 16, 2022. Q16 Voter 36, Nakuru]

A professional provided their perspective:

"How did it affect me? As Kenyans, we were all deeply shaken because, until then, our country had enjoyed peace, and nothing of that magnitude had occurred here. We had heard of civil conflicts in other nations but never imagined it would reach us. The unrest primarily stemmed from differing expectations among tribes. Kenya has a diverse tribal makeup, and I believe these tribal distinctions contributed significantly to the problem. I am Kikuyu, a group widely represented across the country, and Kikuyus typically settle wherever they choose. However, in some areas, Kikuyus were viewed as 'outsiders,' and violence specifically targeted our community in the Rift Valley. The idea was for Kikuyus to leave and return to the central region of Kenya, but that was unfeasible. Many Kikuyus were born and raised there, yet people were killed, homes burned, and livestock destroyed. "But the violence wasn't limited to Kikuyus. In other regions, such as Naivasha and central Kenya, people from different tribes were also attacked. Kikuyus, in response to being expelled from certain areas, began to expel others from these regions."

"This mistrust permeated even among professionals. If you belonged to a particular tribe, you were viewed with suspicion. The other tribes felt that the election results had been

manipulated, though as a non-political individual, I won't argue for or against that claim. Nonetheless, every Kikuyu, including those not politically active, felt marginalized in the workplace. In some instances, clients were advised not to consult Kikuyu professionals, as if health issues should be segregated along tribal lines. A Kikuyu patient would refuse to see a Luo or Kalenjin doctor and vice versa. This was unprecedented in our nation, where professionals have always respected each other's expertise. Normally, we would refer clients to specialists without bias. But now, professional relationships became strained due to tribal affiliations, which was incredibly disheartening, especially in 2008, a year most of us remember with pain."

[Thursday, June 16, 2022. Q16 Voter 37, Nakuru]

Humanitarian organization representatives were further questioned about their teams' challenges while conducting relief work amidst post-election violence in Kenya. One prominent issue highlighted was the impact of misinformation. The spread of 'fake news,' where individuals disseminate unsubstantiated stories about violence, created significant obstacles. Furthermore, while the national hub system has the capacity to manage localized displacements in the short term, escalated tensions could overwhelm it, necessitating additional resources. One key informant commented:

"...The hub system theoretically works, but its efficacy is only as strong as the resources allocated to it..."

[Wednesday, June 8, 2022. Q4 Humanitarian 2, Nairobi]

Humanitarian key informants were also asked about the importance of preparedness for humanitarian interventions, considering potential election-related triggers for violence in Kenya. Through the Good Enough Context Analysis for Rapid Response, they identified

three possible scenarios that could arise during the 2017 elections. Among these was the likelihood of the Independent Electoral and Boundaries Commission failing to announce results transparently, which could incite unrest. Another possible trigger was a Supreme Court decision on the election results that the losing party might refuse to accept.

The findings suggest that one of the most significant repercussions of post-election violence in Kenya since the country's independence has been the internal displacement of people. This has resulted primarily from forced evictions from the homes of victims, individuals fleeing voluntarily out of fear, and extensive destruction of properties. In response to the intensity and magnitude of these displacements, the Prevention, Protection, and Assistance to Internally Displaced Persons and Affected Communities Act No. 56 of 2012 was enacted by Kenya (Ogunmodimu,2023) This legal framework was specifically aimed at addressing the complexities of internal displacement. In alignment with these circumstances, the Kenya National Human Rights Commission (KNHRC) (2007) highlighted that before the December 1992 general elections, the government had allegedly promoted violence in several parts of the Rift Valley, Nyanza, and Western Provinces, which had begun as early as one year prior. This led to a situation where numerous displaced Kenyans, as well as those residing in regions experiencing conflict, were either deterred from registering as voters or actively prevented from doing so due to intimidation, threats, and violent acts.

Within the Rift Valley, Nyanza, and Western Provinces, the violence from 1991 to 1996 resulted in the loss of approximately 15,000 lives and the displacement of nearly 300,000 individuals (KNHRC, 2007). Similarly, the Ministry of State for Special Programmes documented that 663,921 people were displaced due to the violence that erupted following the 2007/2008 elections, as detailed in their latest updates on the status of internally displaced persons (IDPs). Out of this number, around 313,921 individuals found refuge in

host communities and integrated with them for several months. Meanwhile, the remaining 350,000 internally displaced individuals sought shelter and safety in a total of 118 camps established to cater to the IDPs (Refugee Consortium of Kenya, 2018).

The analysis indicates that the consequences of post-election violence in Kenya have been severe, with effects that include deaths, destruction of both private and public property, and a rise in refugees. This is further corroborated by estimates from KNHRC (2007), which reported that approximately 78,254 houses across the nation were torched as a direct outcome of the violent post-election period of 2007/2008. The government also estimates that about 1,300 people lost their lives during this period of unrest. Additionally, many Kenyans fled the country, seeking asylum in neighboring countries such as Tanzania and Uganda (Refugee Consortium of Kenya, 2018). According to the United Nations High Commissioner for Refugees (UNHCR) (2022) and (Abdulkadir,2001), records show that by the 4th of February 2010, 449 Kenyans who had registered as refugees in Uganda in October 2009 had returned to their homeland.

The above findings underscore that electoral offences and crimes have consistently marred Kenyan elections. Such offences and crimes related to elections can be broadly classified into categories such as coercion, bribery, use of force or violence, crimes associated with voting, treating, misconduct by commission members and staff, unauthorized use of public funds for campaign purposes, and the misuse of national security services. There are 27 specific types of election-related crimes, with bribery, voter or ballot fraud, hate speech, and physical altercations ranking among the most prevalent (each registering about 10% or higher). Individuals and entities implicated in committing election-related crimes include a wide array of actors, from political aspirants and candidates to unemployed youths, political supporters, party officials and agents, and voters themselves.

Several underlying factors often drive election-related crimes in Kenya. These include, in order of significance, ethnic biases, tribalism, and clannish tendencies; widespread poverty; youth unemployment; low literacy rates among the electorate; instigations by politicians who use offensive and derogatory language; political corruption; and addiction to drugs and other substances. The impacts of election-related crimes on Kenyan society are far-reaching and grave. The most prominent consequences are physical harm, trauma, and death of individuals; damage or loss of property; increased violence, disruption of peace, and heightened fear and tension among communities, including voters; development of ethnic hostilities and animosities; the election of ineffective leaders, which subsequently undermines governance; business disruptions; and forced migrations, evictions, and displacement of populations.

In Kenya, there are established control measures that aim to curb election crimes and offenses, which have proven to be relatively effective. These control mechanisms include civic education initiatives led by the Independent Electoral and Boundaries Commission (IEBC) alongside various civil society organizations; deployment of security forces for monitoring and patrol duties; national unity, peace, and anti-election crime campaigns; enforcement of relevant legal provisions by the judiciary; and the adherence to the IEBC's Code of Conduct.

Furthermore, findings indicate that sexual violence has emerged as a significant repercussion of Kenya's post-election violence. This is affirmed by reports from the Government of Kenya (2016), which reveal that during the post-election unrest of 2007/2008, over 3,000 women, men, and children were subjected to rape or other heinous forms of sexual violence and brutality. Despite the gravity of these abuses, no justice has been served for these crimes. Today, numerous survivors across Kenya continue to grapple

with the profound physical and psychological impacts of the violence they endured. (Physicians For Human Rights, n.d)

The findings also suggest that post-election violence contributes to economic instability in the country, leading to business closures, revenue loss, unemployment, and poverty. This is consistent with the observations made by Klopp and Kamungi (2010), who noted that following the 2007 elections, violence caused a significant drop in Kenya's economic growth rate, which plummeted from 7.1 per cent in 2007 to a mere 1.7 per cent in 2008. This economic downturn resulted in widespread job losses and a surge in poverty levels.

The findings align with the observations made by Kamungi and Klopp (2009), who recount that in the wake of contested election outcomes, numerous businesses in Kisumu and other urban centers throughout Kenya suffered extensive damage. Shops were ransacked, set ablaze, or otherwise obliterated by groups angered over allegations of election tampering, where it was widely believed that the results were manipulated in favour of Mwai Kibaki and his Party of National Unity, disadvantaging Raila Odinga and the Orange Democratic Movement. (Kamau,2016) The Kenyan tourism sector, generating approximately \$1 billion annually, was especially hard hit. The Kenya Tourist Board approximated monthly revenue losses of nearly \$80 million during the first quarter, equating to a drastic 78% reduction in income (Klopp & Kamungi, 2010).

Similarly, Miriri (2017) highlights that by 2017, monthly sales had dropped by 50% starting in June, as consumers were increasingly cautious, reserving cash in case the August 8 elections resulted in unrest that could necessitate a quick exit from towns. Various business sectors suffered as a result of this decline. For instance, the hospitality, retail, and transportation industries experienced significant downturns as people remained indoors. Correspondingly, the Kenya Private Sector Alliance (KEPSA) (2017) reported that despite the influx of voters travelling to their hometowns, the transportation sector

experienced financial losses due to an overall reluctance among others to travel. This economic slowdown also led to a 10-12% reduction in fuel usage in August 2017 compared to July (KEPSA, 2017).

Additionally, the findings indicate that post-election violence in Kenya brings about profound psychological and emotional distress. Such turmoil may give rise to pervasive feelings of despair, dissatisfaction with government authorities, and fears for personal and familial safety. This conclusion is supported by research conducted by Getanda et al. (2015), who assessed the mental well-being, quality of life, and overall life satisfaction among individuals internally displaced within Nakuru County, Kenya. The study identified poor mental health outcomes, low life satisfaction, and diminished quality of life, particularly among older and widowed IDPs and those lacking perceived support from peers or governmental institutions.

Furthermore, voting theory serves as a valuable framework for analyzing the origins and repercussions of post-election violence in Kenya dating back to 1963. By investigating electoral trends, voter preferences, and election behaviors, this theory sheds light on underlying factors that may incite electoral violence. For example, it emphasizes the role of ethnic allegiances and highly polarized voting tendencies in heightening tensions during elections. Additionally, analyzing shifts in voting behaviors over time can provide a deeper understanding of the enduring impacts of electoral violence, such as diminished trust in the electoral system, rising political polarization, and an elevated risk of future conflict.

5.3 Causes and Consequences of Post-Election Violence in Kenya

The study examined the causes and consequences of post-election violence in Kenya since 1963 (Ochieng et al., 2023). To this end, both Pearson correlation and regression analysis were conducted.

Table 5. 3: Correlation: Causes and Consequences of Post-Election Violence in Kenya

		Consequences	Causes
Consequences	Pearson Correlation	1	.742**
	Sig. (2-tailed)		.000
	N	300	300
Causes	Pearson Correlation	.742**	1
	Sig. (2-tailed)	.000	
	N	300	300

** . Correlation is significant at the 0.01 level (2-tailed).

The Pearson correlation results in Table 5.3 show a significant and strong positive relationship between the causes and consequences of post-election violence in Kenya, with a correlation coefficient (r) of .742** and a significance level (Sig.) of .000. This indicates a robust association where the presence and intensity of causes directly relate to the severity of the consequences of post-election violence. The double asterisks (**) signify that the correlation is highly significant at the 0.01 level, implying a less than 1% chance that this relationship is due to random variation. Therefore, we can infer that understanding and addressing the causes of post-election violence can substantially impact mitigating its consequences.

The significant and strong positive correlation between the causes and consequences of post-election violence in Kenya indicates that the root causes of violence directly impact the severity of its consequences. This finding aligns with previous research in Kenya and other parts of sub-Saharan Africa, which has documented how factors such as ethnic tensions, political manipulation, and socio-economic inequalities fuel post-election violence, leading to severe consequences (Anderson & Lochery, 2008; Kanyinga, 2009). For instance, the 2007-2008 post-election violence in Kenya, driven by ethnic animosities and political grievances, resulted in widespread human rights abuses and significant socio-economic disruptions (Kagwanja & Southall, 2009). Similarly, in Nigeria, electoral

violence has been linked to deep-rooted ethnic and political conflicts, exacerbating the post-election consequences (Adolfo & Oluwaseun, 2016). Table 5.4 presents the model summary, an output of regression analysis.

Table 5. 4: Model Summary: Causes and Consequences of Post-Election Violence in Kenya

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.742 ^a	.550	.549	3.58019

a. Predictors: (Constant), Causes

The model summary in Table 5.4 provides key statistics describing the regression model's strength and fit. The correlation coefficient (R) of .742 reaffirms the strong relationship between the causes and consequences of post-election violence. The R Square value of .550 indicates that its causes can explain 55% of the variance in the consequences of post-election violence. This is a significant proportion, suggesting that more than half of the variability in the consequences can be attributed to the identified causes. The adjusted R Square, slightly lower at .549, accounts for the number of predictors in the model and sample size, confirming the model's robustness. The standard error of the estimate (3.58019) measures the average distance that the observed values fall from the regression line, indicating the precision of the predictions.

The model summary reveals that the causes of post-election violence account for 55% of the variance in its consequences. This substantial explanatory power underscores the critical role of addressing the underlying causes to mitigate the impact of post-election violence. Comparative studies in sub-Saharan Africa have shown that addressing the root causes of electoral violence, such as political exclusion and economic marginalization, can significantly reduce its adverse consequences (Straus & Taylor, 2012; Bekoe, 2012). For example, Ghana's efforts to address political grievances and promote inclusive governance

have been instrumental in reducing the severity of post-election violence (Lindberg, 2003). Globally, similar findings have been observed, where countries that effectively address the root causes of electoral violence experience fewer and less severe post-election consequences (Norris, 2014). Table 5.5 presents the ANOVA, an output of regression analysis.

Table 5. 5: ANOVA: Causes and Consequences of Post-Election Violence in Kenya

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	4670.381	1	4670.381	364.367	.000 ^b
	Residual	3819.699	298	12.818		
	Total	8490.080	299			

a. Dependent Variable: Consequences

b. Predictors: (Constant), Causes

The ANOVA results in Table 5.5 provide insight into the overall significance of the regression model. The regression sum of squares (4670.381) reflects the variation explained by the model, while the residual sum of squares (3819.699) represents the variation not explained by the model. The total sum of squares (8490.080) indicates the total variation in the dependent variable, which is the consequences of post-election violence. The F statistic (364.367) is the ratio of the mean square regression to the mean square residual, and the significance value (Sig.) of .000 suggests that the regression model is highly significant. This means that the causes of post-election violence significantly predict its consequences, supporting the hypothesis that there is a meaningful relationship between these variables. Table 5.6 presents the Coefficients, an output of regression analysis.

Table 5. 6: Coefficients: Causes and Consequences of Post-Election Violence in Kenya

Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	10.595	1.662		6.374	.000
	Causes	.757	.040	.742	19.088	.000

a. Dependent Variable: Consequences

The coefficients in Table 5.6 provide specific information about the regression equation, which predicts the dependent variable (consequences of post-election violence) from the independent variable (causes of post-election violence). The constant (10.595) represents the expected value of the consequences when the causes score is zero. The unstandardized coefficient (B) for the causes is .757, indicating that for each one-unit increase in the causes, the consequences of post-election violence are expected to increase by .757 units. The standardized coefficient (Beta) of .742 confirms the strength of this relationship in standardized terms. The t value (19.088) and its associated significance level (Sig.=.000) further affirm that the causes of post-election violence significantly predict its consequences.

The coefficients indicate that for each unit increase in the causes of post-election violence, the consequences increase by .757 units (B = .757, Sig. = .000). This suggests that mitigating the causes of violence can significantly reduce its consequences. Literature from sub-Saharan Africa supports the notion that while addressing the causes of electoral violence is critical, other factors such as ethnic divisions, political party dynamics, and socioeconomic conditions also play significant roles in determining the consequences (Straus & Taylor, 2012). Globally, multifaceted approaches combining electoral reforms with broader political and social interventions are necessary to mitigate the consequences of post-election violence (Reilly, 2008).

Post-election violence in Kenya has been shaped by multiple factors since the country gained independence in 1963. Four significant causes and their link to Kenya's electoral system are crucial to consider: Firstly, disputed election results have frequently sparked tensions and violence due to allegations of rigging or irregularities. The lack of trust in the electoral process exacerbates these disputes. Secondly, the manipulation of ethnic divisions for electoral gain in Kenya's multi-ethnic society has led to violence erupting along ethnic lines during elections. Thirdly, inadequate electoral conflict resolution mechanisms fail to effectively address grievances, leading to the escalation of disputes into violence. Lastly, Kenya's winner-takes-all election system, based on a plurality voting system, can fuel tensions and violence due to winner-loser dynamics. These factors, combined with historical context and socio-political complexities, contribute to post-election violence in Kenya. To promote peace and stability, it is imperative to address these issues through reforms and improved electoral practices.

5.4 Chapter Summary

The origins and effects of post-election violence in Kenya, which dates back to 1963, have been discussed in this chapter. Accordingly, the discovered causes and effects have been thematically examined along the two topics. The findings have been compared and contrasted with the currently published empirical literature. The next chapter discusses the difficulties and opportunities that Kenya's electoral management body must overcome in order to plan, hold, and oversee elections while preserving electoral peace in the country.

CHAPTER SIX
CHALLENGES AND OPPORTUNITIES THE ELECTORAL MANAGEMENT
BODY IN KENYA FACES IN MANAGING ELECTIONS TO ACHIEVE
ELECTORAL PEACE IN KENYA

6.0 Introduction

The study aimed to identify the chances and obstacles that Kenya's electoral administration body must deal with to organize, conduct, and manage elections peacefully (Ochieng, Matanga, &Iteyo,2023). This chapter examines significant data gathered through surveys and key informant interviews to achieve this. In this context, descriptive and thematic content analyses are carried out. The problems and opportunities are covered in the chapter's two major sections.

6.1 Challenges

The study aimed to identify the difficulties in planning, holding, and managing elections in Kenya (Ochieng, Matanga,&Iteyo,2023). Respondents were asked to describe the IEBC's difficulties when planning, running, and overseeing elections in Kenya. In this regard, it was made clear that the IEBC has several difficulties of many kinds, including operational, administrative, and legal issues. Table 6.1 presents the descriptive outcomes.

Table 6. 1: Challenges in organizing, conducting and managing elections in Kenya

	Mean	%	S. D
Lack of sufficient institutional independence	4.098	11.05%	0.415
Tenure insecurity for commissioners	3.940	10.94%	0.403
Opinion polls creating voter expectations	3.889	10.80%	0.370
Lack of financial independence	3.860	10.72%	0.359
Voter apathy and loss of confidence in the electoral body	3.852	10.70%	0.434
Understaffing	3.803	10.56%	0.440
Voter intimidation	3.314	9.20%	0.381
Media bias and misreporting	3.191	8.86%	0.405
Vote-buying and selling	3.106	8.62%	0.433
Loss of institutional memory	3.077	8.55%	0.403
Overall Mean	3.907		0.404

Source: (Researcher Field Work Data, 2022)

Kenya's Independent Electoral and Boundaries Commission (IEBC) has encountered numerous challenges and faced significant criticisms over the years (Otieno, Ochieng, Matanga, & Iteyo, 2023). Some of the primary issues associated with the agency encompass credibility concerns, political interference, operational inefficiencies, lack of accountability, debates surrounding the legal and regulatory framework, and resource constraints. Credibility concerns have arisen due to allegations of electoral fraud, irregularities, and a lack of transparency in managing elections, undermining the electoral process and the legitimacy of election outcomes. Additionally, accusations of political interference have been made, including claims of bias towards certain political parties or candidates, raising doubts about the commission's independence and impartiality. Operational inefficiencies, encompassing logistical challenges such as voter registration, ballot printing, and result transmission, have led to delays, errors, and disputes during the electoral process.

Furthermore, instances of the IEBC being perceived as lacking accountability for its actions, particularly in addressing complaints and allegations of electoral malpractice,

have further eroded public confidence in the commission. The legal and regulatory framework governing the IEBC has been contentious, with arguments for reforms aimed at enhancing the commission's effectiveness, independence, and transparency. This includes debates about the appointment process of commissioners and electoral dispute resolution mechanisms. Moreover, the IEBC has encountered challenges related to inadequate resources, including funding, staffing, and infrastructure. These constraints have impacted the commission's capacity to effectively carry out its mandate and ensure free, fair, and credible elections. Addressing these challenges within the IEBC is crucial to enhancing the integrity and credibility of the electoral process in Kenya. Reforms aimed at promoting transparency, independence, accountability, and efficiency within the commission are vital in building public trust and confidence in the electoral system.

The overall mean score of 3.907 reflects the average perception of the challenges/opportunities the IEBC faces in managing elections in Kenya. The mean score of 4.098 indicates that the respondents perceive this challenge as significant. It suggests that there is a belief that the Independent Electoral and Boundaries Commission (IEBC) in Kenya lacks adequate autonomy and independence in its operations, which can potentially affect the credibility and fairness of the electoral process. With a mean score of 3.940, this statement indicates that the respondents recognize the issue of insecurity in the tenure of commissioners. This implies that there might be concerns about the stability and continuity of the commission's leadership, which can impact its ability to effectively manage elections.

The mean score of 3.889 suggests that respondents perceive opinion polls as a factor that shapes voter expectations. It implies that these polls influence voters' perceptions and potentially impact their behavior during elections, which may have implications for the electoral management process. With a mean score of 3.860, this statement highlights the

perception that the IEBC faces challenges regarding its financial independence. This suggests that there might be constraints on the commission's ability to secure adequate funding, which can impact its capacity to conduct elections efficiently and effectively.

The mean score of 3.852 indicates that respondents view voter apathy and a loss of confidence in the electoral body as significant challenges. It suggests that there is a belief that these factors contribute to reduced voter turnout and a lack of trust in the electoral process. With a mean score of 3.803, this statement indicates that the issue of understaffing is recognized as a challenge. It implies that the IEBC may face limitations in terms of human resources, which can affect its ability to carry out its responsibilities adequately.

The mean score of 3.314 suggests that respondents perceive voter intimidation as a challenge during elections. This implies that there are concerns about the presence of intimidation tactics that might hinder the free and fair participation of voters in the electoral process. With a mean score of 3.191, this statement suggests that respondents acknowledge the presence of media bias and misreporting. It implies that there might be concerns about how media coverage can influence public opinion and potentially affect the integrity of the electoral management process.

The mean score of 3.106 indicates that respondents perceive vote-buying and selling as a challenge during elections. This suggests that there is recognition of the presence of practices that can undermine the fairness and integrity of the electoral process. With a mean score of 3.077, this statement suggests that respondents recognize the challenge of losing institutional memory within the IEBC. It implies that there may be concerns about the turnover of knowledge and expertise within the commission, potentially affecting its ability to learn from past experiences and improve its operations.

Excessive public scrutiny of the voting materials' procurement, the failure of implemented technologies from voter registration to voting and result transmission, and finance issues

are some of the primary operational difficulties encountered. On the other hand, administrative difficulties include political considerations in commissioner recruitment, dissension among commissioners, and intimidation and harassment of officials, particularly presiding and returning officers, which has occasionally resulted in the murder of important officials. There are time constraints that must be met in order to compile enough evidence to reply to presidential petitions and/or to follow court rulings, among other legal problems.

Investigating the types of operational issues revealed that the commission struggles with inadequate funding, which jeopardizes the proper execution of its constitutional function. The analysis found that Part III of the IEBC Act contains finance provisions for the Commission. The IEBC Fund will be housed in a single-line Treasury Account, according to the Act. The Fund has not yet been operationalized, despite the Commission having adopted the Regulations governing its operationalization. Additionally, it was discovered that although Article 249 (3) of the Constitution requires Parliament to give each Commission an appropriate budget, the actual implementation has not always been simple. The Governance, Justice, Law and Order Sector (GJLOS), which includes other associated governmental entities, now provides funding for the Commission. They are now solely dependent on the Executive and the Legislature, who may purposely delay or reduce financing for political considerations. One of the respondents noticed:

"The Independent Electoral and Boundaries Commission Fund Regulations, 2012 endow the Commission with the statutory means to effectively manage funds intended for electoral purposes. Yet, the delay in operationalising this Fund obstructs the Commission's ability to execute its duties efficiently. The establishment of this Fund needs to uphold the operational integrity and effectiveness of the Commission's mandates."

[Thursday, July 7, 2022. Q11 Observer 4, Nairobi]

A different respondent further elaborated:

"The Independent Electoral and Boundaries Commission's funding originates from government allocations. The treasury makes financial provisions to support the commission's activities. Still, this reliance on government budget allocations puts the Commission in a challenging position, especially if an unexpected event, such as a runoff, occurs."

[Friday, June 17, 2022. Q11 Politician 2, Nairobi]

One respondent observed:

"In principle, Kenya's Electoral Management Body (EMB) is designed to operate autonomously, without undue influence from the executive or other electoral actors. However, the lack of secure and consistent funding for the IEBC poses a significant challenge, as financial and logistical reliance on the Executive and the Legislature compromises the Commission's ability to fulfil critical electoral tasks efficiently."

[Monday, June 13, 2022. Q11 IEBC Official 2, Nairobi]

The study also examined the financial challenges faced by the IEBC in organizing, administering, and executing elections in Kenya, as it was one of the factors leading to the Supreme Court case that nullified the presidential results. A key issue for the IEBC was revealed to be disputes related to the procurement of electoral materials. For example, the Commission faced controversies in 2013 and 2017 over procurement processes for essential electoral materials and technologies. In the 2013 petition, allegations arose that the IEBC had violated both the Constitution and the Public Procurement and Disposal Act (cap. 412C, Laws of Kenya) by awarding contracts to unqualified vendors who

subsequently provided malfunctioning or nonfunctional devices on election day (Petition No .5,3, &4 of 2013, n.d.)

Among the major contracts were procurements that constituted approximately 30% of the total election expenditure, which included technological components and ballot materials. Safran Identity and Security, a French firm, supplied the KIEMS technology, while Dubai-based Al Ghurair provided ballot papers. Hiring these suppliers sparked legal disputes as their selection was deemed unauthorized. In response, the government's Circular Number 8 of 2018, dated August 20, 2018, instructed that the Ministry of Information, Communication, and Technology assume responsibility for ICT procurement across all government entities. Key IEBC informants indicated this conflicted with the Commission's roles and responsibilities. As one respondent remarked:

"In my perspective, the procurement from M/S Safran Identity & Security was at an excessively high cost, leading us to question whether value for money was achieved."

[Thursday, June 23, 2022. Q12 Political Analyst 8, Nairobi]

Another respondent shared similar sentiments:

"The Commission's stance appeared rigidly in favor of the two companies, as they did not allow for alternatives. Anyone might wonder why the IEBC was so determined to grant contracts to these specific suppliers."

[Friday, June 17, 2022. Q12 Politician 7, Nairobi]

In contrast, another participant asserted:

"All IEBC procurement adheres to the Public Procurement and Asset Disposal Act of 2015. We conducted competitive bidding, and I believe that the tenders were awarded to the technically qualified bidders."

[Monday, June 13, 2022. Q12 IEBC Official 1, Nairobi]

The study further explored the technological challenges the IEBC confronted in preparing, conducting, and managing elections in Kenya. These issues were among the reasons the 2017 presidential election results were annulled. One of the primary technological concerns was the recurring malfunction of the biometric voter registration (BVR) system and the Kenya Integrated Election Management System (KIEMS) kits during the 2013 and 2017 general elections.

However, there was a notable improvement in the 2022 elections concerning technological failures, as only 200 out of the 46,229 polling stations experienced KIEMS kit malfunctions. Additionally, network issues were less frequent than in 2017. (Quartz Africa, n.d.) Key informant discussions with IEBC staff indicated that to facilitate the electronic transmission of results for the 2022 elections, and the Commission had procured satellite modems for areas lacking a 3G network. At the 1,111 polling stations without 3G or 4G connectivity, IEBC relied on satellite modems for electronic result transmission. (Petitions No 5,3, &4 of 2013, n.d.) One respondent noted:

"IEBC faces significant technological challenges. The Commission implemented new technologies, including BVR and KIEMS kits. Yet, in the 2013 and 2017 elections, the biometric systems malfunctioned, with laptops and fingerprint scanners often failing to operate correctly or receive power at various polling sites."

[Thursday, July 7, 2022. Q13 Observer 6, Nairobi]

This was echoed by another respondent, who observed:

"The election management system is perhaps the most contentious and influential aspect of the Commission's dependence on technology. It was designed to streamline the transmission of results from polling stations to the central headquarters."

[Friday, June 17, 2022. Q13 Politician 19, Nairobi]

"Many devices failed in the 2013 and 2017 elections. Yet, in 2022, only 200 KIEMS kits failed out of the country's 46,229 polling stations, marking a significant improvement."

[Monday, June 13, 2022. Q13 IEBC Official 1, Nairobi]

The study also examined the legal challenges the IEBC encounters in organizing, conducting, and supervising elections in Kenya. The Commission's main legal issues, as expected, involve handling allegations of irregularities in presidential petitions. Similar to the 2013 and 2017 elections, the 2022 general elections saw contested verification and tallying of presidential results. On August 15, Mr. Chebukati announced Dr. William Ruto, former Deputy President and a member of the Kenya Kwanza coalition, as the winner, securing 50.49% of the votes compared to Mr. Odinga's 48.8%. Dr. Ruto garnered 7,176,141 votes against Mr. Odinga's 6,942,930, according to Mr. Chebukati's declaration. However, Mr. Odinga challenged the outcome in the Supreme Court, asserting that IEBC Chairman Wafula Chebukati unilaterally finalized the presidential results—Form 34C—without consulting other commissioners for validation.

The respondents highlighted that the Commission found it difficult to gather sufficient evidence to respond to presidential petitions within the limited timeframe mandated by law. The study revealed that the 14-day limit for filing petitions, responses, hearings, and decisions in presidential cases is viewed as restrictive. Justice Emeritus Willy Mutunga's

2013 presidential petition judgment underscored that the short timeline burdened both the complainants and the Court. One respondent commented:

"The brief period within which the Commission is expected to comply with Court orders to provide election materials is manifestly inequitable."

[Thursday, June 23, 2022. Q14 Political Analyst 9, Nairobi]

"The 14-day deadline for presenting materials and results to the Court is especially challenging, not only for the IEBC but also for complainants and the judiciary."

[Friday, June 24, 2022. Q14 Politician 10, Nairobi]

A key respondent remarked:

"The fourteen-day period does not provide sufficient time for a fair resolution for all parties involved; it does not afford the Commission adequate time to prepare for representation, gather evidence on a national scale, or formulate and submit the required legal defenses."

[Monday, June 13, 2022. Q14 IEBC Official 2, Nairobi]

The study also explored the operational challenges the IEBC faces in planning, organizing, and managing elections in Kenya. Some of the most significant obstacles include errors in ballot printing and coordination among staff on election day. For instance, misprints on ballots in four wards were only discovered on the day of the 2013 general elections. Additionally, the IEBC faced staffing shortages at large polling stations, which necessitated late counting processes. In the 2022 gubernatorial elections in Kakamega and Mombasa counties, ballot papers contained errors, such as incorrect candidate photos and details.

Moreover, although most polling stations opened as scheduled, a few experienced delays due to various challenges. These delays stemmed from multiple issues, including a lag in setting up the stations, delays in delivering essential polling materials, or tardiness in the arrival of key polling personnel. In some cases, Forms 34A were found to lack signatures from agents, and certain documents recorded figures inconsistent with the voter turnout data reported through the KIEMS kit. However, in contrast to the 2017 elections, such issues appeared less widespread this time. The Independent Electoral and Boundaries Commission (IEBC) has also found it increasingly challenging to manage elections in certain regions, particularly due to factors like difficult road conditions and general insecurity. These circumstances not only instil fear among officials tasked with conducting elections but also create an atmosphere of intimidation that could deter voters from showing up to exercise their democratic rights and electing leaders as they desire.

This study reveals that disputes among IEBC commissioners significantly impact Kenya's organization, conduct, and management of elections. This was particularly noticeable during the announcement of the results of the 2022 presidential election at Bomas of Kenya. At this event, four out of the seven commissioners walked out, effectively disassociating themselves from the results as declared by the IEBC Chairperson, Mr. Wafula Chebukati. According to these four commissioners, Mr. Chebukati excluded them from the final phases of the tallying and verification process, which led to dissatisfaction within the commission. A respondent observed:

“The visible rift between the ‘old’ and ‘new guard’ at the IEBC projected an image of an organization plagued by internal dysfunction, which, in my perspective, further weakened the commission’s credibility in overseeing electoral processes.”

[Thursday, June 23, 2022. Q14 Political Analyst 9, Nairobi]

Another respondent echoed this sentiment, adding:

“The dissent expressed by the faction led by Cherera within the IEBC Commission underscores significant administrative issues plaguing the institution.”

[Friday, June 17, 2022. Q14 Politician 10, Nairobi]

Conversely, another respondent presented a differing viewpoint:

“There is absolutely no dysfunction within the IEBC. The commission’s role transcends any individual; believing we are dysfunctional overlooks the bigger picture entirely.”

[Monday, June 13, 2022. Q14 IEBC Official 2, Nairobi]

In relation to administrative challenges, staffing also emerges as a major obstacle in the IEBC’s efforts to organize, manage, and supervise elections across Kenya. This inquiry found that the Commission has been grappling with the challenge of filling vacancies, an issue that began following commissioner resignations after the 2017 general elections. According to the IEBC Act, the process of appointing new members is required to follow a specific timeline overseen by the President. Despite the existence of vacancies for two years, the process had yet to be completed. While the IEBC operates with functional and operational independence from the Executive, the study highlighted that it lacks complete autonomy in critical areas such as budget-setting and determining staff numbers. Respondents pointed out that the requirement for the IEBC to negotiate its budget with the political executive or central budgeting bodies introduces a risk of underfunding and potential interference with internal decision-making. One informant remarked:

“A certain degree of autonomy in budget determination and staffing within any agency or commission is considered essential for fostering genuine independence. The necessity for the electoral management body (EMB) to negotiate its budget with political authorities or

central budgeting agencies introduces risks of financial constraints and intrusion in internal decision-making.”

[Monday, June 13, 2022. Q14 IEBC Official 2, Nairobi]

The safeguarding of its staff also represents a considerable administrative hurdle for the IEBC in its efforts to plan, execute, and oversee elections in Kenya, as documented in this report. In 2017, just a few days prior to the August 8 elections, Chris Msando, the official responsible for the electronic voting system, was tragically found deceased. Again, in 2022, shortly after the general elections, IEBC Chairperson Wafula Chebukati announced the disappearance of Daniel Musyoka, the returning officer for Embakasi East. Tragically, Musyoka’s disfigured body was later located in Kajiado. In response to these occurrences, IEBC Returning Officers for the 2022 General Election have requested the Office of the Director of Public Prosecutions (ODPP) to ensure their safety due to the gravity of these threats. Additionally, the IEBC Chairperson was forced to postpone several by-elections in affected regions due to issues in printing, raising concerns that Commission staff were being intimidated, profiled, and subjected to undue pressure. Chairperson Chebukati further disclosed that IEBC personnel drafting responses to presidential election petitions were assaulted by an organized gang. The IEBC noted in a tweet:

“Today, Monday, August 22, 2022, at approximately 8:30 p.m., an organized gang wielding crude weapons attempted an attack on IEBC staff preparing responses to presidential election petitions at a location within Nairobi. Fortunately, security forces were able to repel the assailants.”

[IEBC on Twitter, August 22, 2022]

An informant reiterated:

“Our returning officers have continually reported facing intimidation and threats before, during, and after the electoral process.”

The survey further uncovered a substantial lack of trust in the Independent Electoral and Boundaries Commission (IEBC) among voters, which seriously hinders the effective planning, administration, and oversight of elections in Kenya. This erosion of trust is largely attributed to issues surrounding the 2013 election controversy, the high-profile “Chicken Gate” scandal, and the annulment of the 2017 presidential election results. (Home of Ghana news, n.d.) As a result, the IEBC faces significant challenges in convincing Kenyans of their impartiality and integrity in managing electoral processes (News Hawks, n.d.). A respondent observed:

“Initially, Kenyans believed that the IEBC was independent and unbiased, fulfilling its responsibilities with integrity. However, a series of scandals, from procurement mishaps to the annulment of presidential election outcomes, have made it difficult for the IEBC to restore public confidence.”

[Thursday, June 23, 2022. Q14 Political Analyst 9, Nairobi]

This sentiment was echoed by a key informant who pointed out:

“The annulment of the 2017 presidential election results signalled to Kenyans that the IEBC had shown bias toward the Jubilee Coalition, severely diminishing the public’s faith in the institution.”

[Friday, June 17, 2022. Q14 Politician 10, Nairobi]

Another individual shared a similar perspective, stating:

“The institutional integrity of the ECK, along with the public's trust in the professionalism of its commissioners and personnel, has suffered severe, irreversible damage.”

[Monday, June 13, 2022. Q15 IEBC Official 1, Nairobi]

Further analysis revealed that political interference presents additional obstacles to the IEBC in its mission to organize, administer, and oversee elections in the country. Notably, the commission is often undermined by political smear campaigns aimed at tarnishing the reputations of public figures, thereby eroding public trust. Furthermore, it was observed that politicians attempt to place their own representatives in commissioner roles, compromising the Commission's independence. According to IEBC insiders, the appointment process for commissioners is designed to foster public confidence through a competitive selection procedure. However, some warn that proposed reforms under the Building Bridges Initiative (BBI) may reverse progress toward establishing the Commission's independence by allowing political parties to directly nominate commissioners or participate in selection panels for IEBC commissioners. Though the National Assembly approves commissioners, they argue the vetting process sufficiently addresses political party interests. A respondent highlighted:

“The main challenge in ensuring fair elections is not the lack of institutions and systems but political interference.”

[Thursday, June 23, 2022. Q15 Political Analyst 2, Nairobi]

As validated in Homer (2013), In a recount of personal experience during the 2007 post-election violence, a Nairobi voter described the tense atmosphere:

“Tensions flared as soon as the Electoral Commission delayed announcing the results. Even before Raila made public remarks, people had flooded the streets chanting, ‘Aki yetu,’ meaning ‘our rights.’ Protestors from the Luo, Luhya, and Nubian communities took to the streets. Sometimes, we joined them. If you were around, people would confront you, questioning why you were sitting idle while they were fighting for democracy.”

[Thursday, June 23, 2022. Q15 Political Analyst 3, Nairobi]

The respondent continued (Homer,2013, The East African, n.d).

“Shortly after, business owners began closing their shops, fearing youth protesters. With markets inaccessible and roads blocked, looting ensued—everyone, including women, scavenged for goods like vegetables, charcoal, and maize. The scene was chaotic and indiscriminate. Toi Market, shared by all communities, saw widespread looting driven by desperation and hunger. At my workplace, operations ceased as people displaced from their homes sought refuge there. Even we were asked to leave. Notices, likely left by Mungiki members, warned, ‘We will claim five heads if you don’t vacate by Friday.’”

[Tuesday, June 14, 2022. Q15 Voter 20, Nairobi]

This narrative was supported by another respondent, who remarked:

“Although we have experienced contested elections post-2010 constitution, the judiciary’s dispute resolution mechanisms have served us well. The real issue is the persistent political tension around elections, which disrupts electoral processes.” [Friday, June 17, 2022. Q15 Politician 5, Nairobi]

A key informant elaborated on this point, explaining:

“Politicians often exploit the fact that a large portion of the electorate is either illiterate or lacks access to accurate information, allowing them to spread misinformation.”

[Monday, June 13, 2022. Q15 IEBC Official 2, Nairobi]

When queried on their obstacles in managing elections, key informants from security personnel and local administration reported numerous challenges. Key among them was the shortage of resources and insufficient inter-agency networks. The reported lack of resources encompassed funds (e.g., for vehicle fuel), equipment (such as patrol vehicles and police communication radios), and inadequately trained personnel to handle election-related incidents.

Additionally, respondents noted gaps in communication and networking between the National Intelligence Service, Kenya Police Service, and Administration Police Service. Inadequate financial compensation for officers assigned to election duties was another pressing issue. Other challenges included electoral fraud, voter ignorance, impunity among political leaders, tribalism, nepotism, and hostility among certain voters, ethnic groups, political parties, and candidates. Secondary challenges cited included media bias and interference from foreign entities. A respondent elaborated:

“A major hurdle in addressing election crimes and offences is the shortage of law enforcement personnel during the election period. Although our security agencies coordinate effectively, sharing intelligence and acting promptly, our efforts are hampered by limited resources. We should not appear unprepared when election-related incidents arise.”

[Tuesday, June 21, 2022. Q6 Security 8, Nairobi]

In Naivasha (Homer,2013), a voter recounted a troubling experience:

“In Kabati, my neighbour alerted me, saying youths were targeting blocks of houses to identify those perceived as non-government supporters, specifically those from Luo backgrounds. I am Luo, with a Luo mother and a Luhya father, raised by my mother. My Luo name marks me; thus, I was identified as Luo. Youths were hunting down individuals from certain tribes associated with ODM at that time. My younger brother and I hid with neighbors before fleeing to our rural home. Our house was later ransacked, everything destroyed, and whatever they couldn’t steal, they set ablaze, including two boxes of books and clothes.”

[Thursday, June 16, 2022. Q6 Voter 30, Nakuru]

In assessing the security forces’ effectiveness in controlling post-election violence, one respondent shared:

“When questioned on the security provided to citizens, a police officer remarked: ‘Until the top two leaders reach an agreement, our hands are tied.’”

[Tuesday, June 3, 2022. Q6 - Security 4, Kisumu]

Another informant further explained:

“...The challenges in addressing election offences are compounded by logistical obstacles, particularly around essential resources like transportation and recording devices for hate speech incidents. Additionally, geographical vastness, low local literacy levels, and fear of reporting election crimes make it difficult for affected individuals to speak up.”

[Tuesday, June 21, 2022. Q6 Security 9, Nairobi]

One respondent added:

“...The prosecution of election crime perpetrators remains an obstacle. Insufficient or flawed investigation and prosecution enable offenders to act with impunity. Effective evidence collection, preservation, and presentation in courts are crucial to prevent case dismissals. Initiatives like the ‘Elections Handbook for Security Personnel’ and the ‘Guide for Investigation and Prosecution of Election Offenses’ have been instrumental in tackling election-related offences.”

[Tuesday, June 21, 2022. Q6 Security 10, Nairobi]

The major challenges facing efforts to curb election-related crimes and misconduct in Kenya include a shortage of financial resources and limited networking capabilities among security agencies; issues of electoral corruption and fraudulent practices; voter ignorance and illiteracy; impunity and self-interest displayed by political leaders; tribalism, nepotism, hatred, and hostility; and inadequate collaboration paired with partisan interests among relevant institutions. The primary suggested solutions to these challenges include conducting timely and comprehensive civic education, providing adequate and high-quality resources to regulate election-related crimes and misconduct, and establishing severe penalties to deter such offences.

Findings indicate that deep-rooted political corruption, tribalism, the lack of transparency and accountability among accountable agencies, and financial incentives offered to voters are primary obstacles to achieving free and fair elections. Suggested remedies include offering civic education on voter rights and effective leadership, enforcing strict adherence to law and order, implementing strict penalties on electoral law violators, promoting patriotism and national unity, and supporting the electoral body in its mandate to conduct unbiased elections across all political parties.

These insights underscore the significant institutional and logistical barriers that hinder the efficacy of control measures in addressing election-related crimes and misconduct. A lack of resources restricts security forces from responding effectively to incidents of election-related crimes and violations. Without sufficient numbers of police officers, maintaining law and order at and near polling stations becomes unmanageable, especially during violent confrontations between large groups of opposing supporters. For example, during the 2007–2008 General Elections, unruly mobs attacked certain police stations, leading to situations where officers were overpowered and killed. During the elections in March 2013, six police officers lost their lives following an assault by over 200 suspected members of the Mombasa Republican Council (MRC).

Kenya's struggle to control election crimes and offences is characterized by a combination of obstacles, primarily insufficient networks and resources within security agencies; widespread electoral fraud and corruption; voter ignorance and illiteracy; the impunity and self-centeredness of political leaders; tribalism, nepotism, hatred, and hostility; and insufficient collaboration and partisanship among agencies involved. The Commonwealth Secretariat (2013) emphasizes that proper tools are necessary to document hate and incitement speech, as this provides the substantial evidence required to prosecute offenders. Without the consistent and honest sharing and discussion of intelligence regarding electoral crimes across various security agencies, addressing these threats becomes exceedingly difficult. Furthermore, low pay makes security personnel vulnerable to being compromised by political candidates who have access to large amounts of money. These findings align with the Independent Electoral and Boundaries Commission (IEBC) findings, which revealed challenges in investigating and prosecuting electoral offences during the 2013 General Elections, including insufficient admissible evidence, ineffective law enforcement, and inadequate training for investigators and prosecutors.

The Kenya National Commission on Human Rights (2014) identifies the lack of coordination between various security institutions contributing to Kenya's security challenges. Corruption within various state bodies has also impeded efforts to address electoral crimes and offences. For instance, certain dishonest electoral officials have been implicated in voter manipulation to influence election outcomes in favour of particular candidates.

Allegations have been made against Kenya's former Provincial Administration members, accusing them of assisting pro-government candidates in winning political positions through corrupt means. The challenge of addressing election crimes and misconduct is further exacerbated by low literacy rates in certain areas. Illiterate individuals are often easily influenced by persuasive politicians, leading them to accept and act on certain perspectives and beliefs, some of which are contrary to legal standards. This illiteracy tends to favor unscrupulous politicians who seek to win support based on patrilineal affiliations rather than their commitment to national service.

In seeking potential solutions to promote peace following Kenya's post-election violence, insights were gathered from key informants among security personnel and the provincial administration. Recommendations frequently call for police reforms and training in election management. Although police reforms in Kenya date back to 2003, the post-election violence of 2007–2008 significantly amplified calls for change. The Commission of Inquiry into Post-Election Violence revealed extensive and systematic human rights abuses perpetrated by the police. The National Accord and Reconciliation Act, enacted in 2008 to end the violence, marked the beginning of a new era of extensive reforms. The adoption of Kenya's new constitution in 2010, which is rights-based, and the subsequent legislative changes aimed to facilitate a transition toward people-centered policing.

In line with reform efforts, it is suggested that police officers receive more training in crowd control techniques to handle protests. At the same time, protesters should commit to demonstrating peacefully within their right to free assembly. Improvements in the conduct of both the police and the public could alleviate tensions and encourage better communication, such as through community policing, which could reduce crime and violence during elections. Politicians, especially in the current era of social media, also have a critical role. They should discourage violence from their supporters and avoid making defamatory or incendiary comments online. Setting an exemplary tone can contribute to de-escalation efforts across the board.

In Kenya, every election cycle witnesses the heavy-handed suppression of protests by security forces. In various protest hotspots, such as the Mathare, Lucky Summer, and Kibera slums in Nairobi, and the Kondele slum in Kisumu, loud gunfire is frequently heard. According to the Kenya National Commission on Human Rights (KNCHR), the 2017 elections saw the deaths of 24 people, including women and children, as a result of this crackdown (Dinokopila & Murangiri, 2018). The police were accused of using excessive force, including live ammunition, against protesters. According to the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, the use of lethal force by police should be limited to situations where it is strictly necessary to protect human life and only when less extreme measures would fail to achieve that goal (Jouacole, 2015). However, the Kenyan police have yet to provide a clear justification for why they use live ammunition against protesters.

An investigation into the allegations against police conduct is warranted. The Independent Policing and Oversight Authority (IPOA) should initiate a nationwide review of the processes involved and produce a report on alleged police misconduct. This should be conducted transparently to assure the public of its independence. The state should publicly

condemn police brutality to demonstrate its commitment to ensuring equal protection for all individuals, including protesters, and to counter accusations of selective targeting of opposition supporters by state agencies.

In addition, it is essential to safeguard individuals constitutionally protected right to freedom of assembly, which allows them to participate in peaceful and lawful demonstrations. People should be motivated to use the toll-free numbers provided to report any human rights violations they witness to human rights organizations like the Kenya National Commission on Human Rights (KNCHR) and the Independent Policing Oversight Authority (IPOA). This will enable these organizations to carry out in-depth investigations into alleged violations. Law enforcement personnel must avoid infringing upon protesters' rights unless it is absolutely necessary to do so for the purpose of protecting people and property. Furthermore, the force applied by the police should be restrained and non-lethal, meaning firearms should only be deployed in extremely serious situations where there are no feasible alternatives and when less drastic methods have proven to be ineffective.

The findings from the study indicate that the Independent Electoral and Boundaries Commission (IEBC) will face a considerable challenge in organizing, conducting, and supervising elections across Kenya while simultaneously ensuring electoral peace and stability. (The East African. n.d.) These challenges can be categorized into three broad areas: administrative, operational, and legal. It appears that the commission is dealing with substantial financial constraints, a primary operational challenge hindering its capacity to fulfil its constitutional mandate effectively. The study reveals that insufficient funding has a notable impact on critical election-related preparations, including procuring necessary technologies and hiring essential personnel, which are crucial steps for the successful execution of general elections.

Efforts to tackle electoral offences and related misconduct in Kenya face significant hurdles, including limited financial resources, underdeveloped networks within security agencies, instances of electoral corruption and deceitful practices, voter ignorance and illiteracy, impunity and self-interest among political leaders, tribalism, nepotism, hatred, and hostility. The lack of coordination and partisan interests among the institutions compounds these challenges. Proposed solutions to these issues involve conducting timely, comprehensive civic education programs, allocating sufficient resources to address election-related crimes effectively, and imposing stringent penalties to deter such offences.

The study highlights those entrenched issues such as political corruption, tribalism, and the lack of transparency and accountability among institutions responsible for maintaining electoral integrity remain significant obstacles to free and fair elections. Financial incentives extended to voters also contribute to these challenges. Among the recommended solutions are educating the public on their voting rights and effective leadership, enforcing strict compliance with legal standards, implementing harsher penalties for electoral law violations, fostering a sense of patriotism and unity, and supporting the Electoral Commission in its mission to administer impartial elections across all political affiliations. These findings underscore the critical institutional and logistical challenges that hinder the effectiveness of control mechanisms in combating election-related crimes and misconduct. A shortage of resources restricts security forces from responding effectively to incidents of electoral offences and breaches. Without adequate law enforcement officers, maintaining peace and order at polling stations becomes unmanageable, especially in violent clashes between large groups of rival supporters. For example, during the 2007–2008 General Elections, some police stations were attacked by aggressive mobs, leading to situations in which officers were overpowered and some were killed. During the March

2013 elections, six police officers tragically lost their lives following an attack by over 200 individuals believed to be members of the Mombasa Republican Council (MRC).

Kenya's ongoing struggle to control election-related crimes and offences is characterized by a complex set of obstacles, primarily limited resources and networks within security agencies; widespread issues of electoral fraud and corruption; voter ignorance and illiteracy; impunity and self-serving motives among political leaders; tribalism, nepotism, animosity, and hostility; and insufficient collaboration and partisan interests among involved agencies. The Commonwealth Secretariat (2013) stresses the importance of adequate tools to accurately document hate speech and incitement, as this evidence is essential for prosecuting offenders. Effective counteraction to these challenges requires the consistent and transparent exchange and discussion of intelligence on electoral crimes across security agencies. However, low salaries make security personnel more susceptible to bribery by political candidates with substantial financial resources. These observations align with findings from the IEBC, which identified significant challenges in investigating and prosecuting electoral offences during the 2013 General Elections, such as the lack of admissible evidence, ineffective law enforcement practices, and insufficient training for investigators and prosecutors.

The Kenya National Commission on Human Rights (2014) highlights the absence of coordination among various security institutions as a contributing factor to Kenya's ongoing security issues. Corruption within different governmental bodies has further obstructed efforts to address electoral crimes and misconduct. For instance, dishonest electoral officials have been implicated in voter manipulation, with the intention of skewing election results in favor of certain candidates.

Accusations have been directed toward Kenya's former Provincial Administration members, suggesting they may have assisted candidates aligned with the government in

securing electoral victories through corrupt means. Addressing election-related crimes and misconduct is further complicated by high illiteracy rates in certain areas. Illiterate individuals can be more easily influenced by persuasive politicians, which leads them to adopt certain viewpoints and actions, even when these are inconsistent with the law. This illiteracy creates an environment where unscrupulous politicians gain support through ethnic or family ties rather than genuine service to the nation.

To explore potential solutions for fostering peace following Kenya's incidents of post-election violence, insights were obtained from key informants, including members of the security forces and the provincial administration. Recommendations from these individuals often emphasized the need for police reforms and enhanced training in election management. Although efforts to reform the police in Kenya date back to 2003, the 2007–2008 post-election violence heightened the urgency of these reforms. The Commission of Inquiry into Post-Election Violence reported widespread and systematic human rights abuses by police officers. The National Accord and Reconciliation Act, passed in 2008 to end the violence, marked the beginning of extensive reform efforts. Kenya's adoption of a new, rights-based constitution in 2010, followed by related legislative changes, signalled a shift toward a more community-focused approach to policing.

In alignment with these reform initiatives, it has been suggested that police officers undergo additional training on crowd management techniques to handle protests effectively. At the same time, protestors should also commit to demonstrating peacefully within their right to assemble freely. Improving the conduct of both the police and the public could help reduce tensions and foster better communication. Measures like community policing could play a crucial role in reducing crime and violence during elections. Politicians, especially in today's digital age, also have a pivotal role; they should discourage their supporters from engaging in violent behaviors and avoid making

defamatory or provocative statements online. By setting a constructive example, politicians can contribute to broader de-escalation efforts.

In a report by Mutai (2022), it is documented that the Kenyan Treasury turned down the Independent Electoral and Boundaries Commission's (IEBC) original election budget proposal of Sh49.9 billion, instead providing an allocation of Sh43.9 billion. Of this amount, Sh42.57 billion was designated specifically for the commission's core election expenses. This view aligns with Ndungu's (2021) perspective, which highlights how financial constraints imposed by the government, especially in curbing the influence of foreign donors on election funding in Kenya, significantly influenced the preparedness for the August 9 general elections. Similarly, Langat (2020) observes that the government's policy to reduce direct financial support for election systems in Kenya has led to operational difficulties for the IEBC and other election stakeholders, leaving a financial shortfall of Sh14.5 billion. In anticipation, the IEBC had expected an additional Sh7 billion from the government to bridge the existing gap of Sh7.5 billion.

The findings further emphasize that the IEBC encounters substantial operational obstacles in its mission to plan, execute, and manage elections, especially those to foster electoral stability in Kenya. This challenge has been notably apparent in the contentious tendering procedures for sensitive electoral equipment and technological resources in the lead-up to the general elections in 2013 and 2017. Unfortunately, these issues have impacted the IEBC's credibility and its capacity to carry out elections in an impartial and transparent manner.

These findings are consistent with the observations made by Ng'etich (2022), who argues that factors such as corruption, delayed and rushed procurement processes, cancellations of tenders, and similar administrative missteps led Kenya to conduct one of the costliest elections in Africa in 2017, with the total expense estimated to be Sh54.1 billion. Echoing

this sentiment, Kahongeh (2018) contends that the integrity of the 2017 general elections was compromised due to significant malfunctions in Kiem's kits, supplied by the French corporation OT Morpho. Supporting this viewpoint, Kisia (2022) adds that the procurement of election materials was marred by controversies, which fueled public debate during the extended election period.

Additionally, the study's findings suggest that the IEBC faces notable technological hurdles as it seeks to organize, administer, and oversee elections in Kenya with the goal of promoting electoral harmony. For example, one of the significant challenges has been the widespread technical failures of the biometric voter registration (BVR) systems and the Kenya Integrated Election Management System (KIEMS) kits during the general elections of 2013 and 2017. The malfunctions in these systems were central to the presidential petitions filed in both election cycles. However, this issue was largely mitigated in the 2022 general elections, which were praised for their technological effectiveness by observers.

This conclusion aligns with Chiba's (2022) assertion that while electronic methods of voter verification and vote tallying are advantageous, they also come with unique security challenges compared to manual systems. For instance, in the 2017 general elections, National Super Alliance presidential candidate Honorable Raila Amollo Odinga alleged that the IEBC's electronic transmission system had been hacked, allowing fraudulent data to be inserted that conflicted with the results recorded at polling stations. This claim followed a judicial ruling that declared results announced at the polling place as the final authority. Furthermore, in *Raila Odinga v. The Independent Electoral and Boundaries Commission and 3 Others*, Supreme Court Petition Number 5 of 2013 (Consolidated with Petitions 3 and 4 of 2013), the IEBC was accused of extensive electoral misconduct and

irregularities, including technological failures that were believed to have impacted the election outcomes. (Kenya law, n.d.)

The study also finds that the IEBC encounters substantial legal challenges in preparing, implementing, and supervising elections in Kenya, with legal disputes regarding electoral fraud and irregularities playing a major role. In 2013, for example, the commission was accused of conducting an election marked by numerous flaws and difficulties in verification, allegedly failing to uphold the constitution's requirements for elections to be simple, accurate, verifiable, secure, and transparent. In 2017, accusations arose suggesting that the IEBC had tampered with tallying through a pre-set algorithm that lacked transparency. In 2022, the commission faced similar accusations, as Dr William Ruto was allegedly declared president without the full consent of all commissioners (Voice of America,2022)

Maina's (2013) account supports these findings, as it reports that the 2013 election petition sought to nullify the election due to numerous errors in voter registration, electronic voter identification, and vote tallying. This petition, filed by the Africa Centre for Open Governance (AFRI COG) on behalf of Raila Odinga, contended that systemic fraud and irregularities were instrumental in Uhuru Kenyatta's electoral victory. Similarly, Freytas-Tamura (2017) describes the 2017 petition, which argued that the presidential election did not adhere to the constitutional standards required, citing illegalities and irregularities that ultimately compromised the integrity of the general election. Correspondingly, Wangui (2022) reports that the 2022 petition alleged instances of vote tampering, figure manipulation, and fraudulent declarations by the IEBC chairman, claiming that William Ruto's win did not meet the constitutional mandate of a 50% plus one majority. (Voice of America,2022)

Regarding administrative challenges, the findings reveal that the IEBC encounters considerable logistical and procedural difficulties in organizing and managing elections in Kenya. For example, during the 2013 general election, ballots were misprinted in four wards, while in 2022, gubernatorial elections in Kakamega and Mombasa had to be postponed due to similar printing issues. The late arrival of polling materials, delayed setup of polling stations, and logistical hurdles concerning the availability of polling officials represent additional administrative concerns. Staffing issues have also been problematic; the IEBC faced notable staff shortages following commissioner resignations before the 2017 general elections.

These findings resonate with those of Kiplagat (2022), who highlights that the 2013 audit by KPMG discovered over 2.9 million errors in the voter register. Many discrepancies involved mismatches in voter details, such as names, genders, and birth dates, compared to official identification records. Additionally, the audit identified over 450,000 instances where voter identification details were duplicated, or individuals could not be verified through national databases. KPMG attributes many of these inconsistencies to data entry mistakes. The IEBC responded to these audit findings by revising the official voter register, addressing certain discrepancies, and removing 88,602 deceased individuals and 93,548 duplicate entries from the register.

6.2 Opportunities

The study also aimed to determine the opportunities available to Kenya's electoral management body for legitimately organizing, conducting, and managing elections in order to achieve electoral peace in Kenya (Otieno, Ochieng, Matanga, & Iteyo, 2023). Table 6.2 presents the descriptive outcomes.

Table 6. 2: Opportunities in organizing, conducting and managing elections in Kenya

	Mean	%	S. D
Legislation for financial independence	4.341	10.60%	0.383
Political will to reform the electoral process	4.273	10.44%	0.403
Goodwill by the people and the development partners	4.267	10.42%	0.363
Promotion of civic and voter's education	4.262	10.41%	0.391
Legislation for more effective laws on election management	4.169	10.18%	0.409
Use of technology to complement manual vote tallying and transition of results	4.166	10.17%	0.375
Enhancement of regional and stakeholder engagement and collaboration	4.166	10.17%	0.421
Experiential learning from past mistakes	3.809	9.30%	0.379
Facilitation of objective election observation locally and internationally	3.797	9.27%	0.355
Benchmarking for best practices	3.695	9.02%	0.378
Overall Mean	4.094		0.386

Source: (Researcher Field work Data, 2022)

Upon reviewing the provided information, it is evident that the study findings have highlighted significant opportunities for the electoral management body (EMB) in Kenya. The high mean scores across various opportunities indicate the perception of these factors as critical advantages that can enhance the electoral management system and promote peaceful elections. Importantly, the results align with the research objective of establishing the relationship between Kenya's electoral management system and post-election violence. The findings underscore the importance of leveraging the identified opportunities to strengthen the electoral management system and promote electoral peace in Kenya. Policymakers must focus on legislative reforms to enhance financial independence and effectiveness in election management. Furthermore, engagement with stakeholders, adopting technology, and promoting civic education are essential strategies for improving elections' efficiency, transparency, and credibility. Additionally, the study reveals unexpected findings, such as the relatively lower mean scores for facilitating objective election observation locally and internationally and benchmarking for best practices.

The overall mean of 3.907 reflects the average rating across all the challenges and opportunities identified in the study. It indicates that, on average, the respondents perceive the IEBC to face various challenges in managing elections in Kenya. The respondents, on average, rated this challenge quite high, with a mean of 4.098. This suggests that they perceive the Independent Electoral and Boundaries Commission (IEBC) in Kenya to face difficulties in maintaining sufficient independence, potentially impacting its ability to carry out its duties effectively (ScoraDers, n.d.). The mean score of 3.940 indicates that the respondents perceive commissioners of the IEBC to face concerns regarding the security of their tenure. This insecurity could hinder their independence and affect decision-making processes within the electoral body. With a mean of 3.889, the respondents indicate that opinion polls create voter expectations. This suggests that voters may develop specific expectations based on the information and predictions these polls provide, which can affect the electoral process.

The respondents, on average, rated this challenge as 3.860. This means they perceive the IEBC to face limitations in terms of financial independence, which can potentially impact its operations and ability to conduct elections efficiently. The mean score of 3.852 suggests that respondents recognize the presence of voter apathy and a loss of confidence in the electoral body. This indicates that some voters may feel disengaged or disillusioned with the electoral process, which can have implications for voter turnout and trust in the fairness of elections. With a mean of 3.803, the respondents perceive the issue of understaffing within the IEBC. This suggests that there may be insufficient personnel to handle the various tasks and responsibilities associated with managing elections effectively.

The mean score of 3.314 indicates that respondents perceive voter intimidation to be a challenge faced by the IEBC. This suggests that instances of intimidation during elections may negatively affect the electoral process and potentially impact the integrity of the

results. With a mean of 3.191, the respondents perceive the presence of media bias and misreporting. This suggests that they believe media outlets may not always provide accurate and unbiased information, potentially influencing public perception and trust in the electoral process. The mean score of 3.106 suggests that respondents recognize the issue of vote-buying and selling in the context of elections. This implies that the practice of exchanging votes for financial or material gain is perceived to be a challenge that the IEBC faces in managing elections. With a mean of 3.077, the respondents indicate that the IEBC may face challenges related to the loss of institutional memory. This suggests that turnover or lack of continuity within the electoral body may impact its ability to learn from past experiences and improve its performance.

The judicial precedents established in previous presidential election petitions have proven to be among the most substantial opportunities available to Kenya's electoral process. In the 2022 general elections, the Independent Electoral and Boundaries Commission (IEBC) was observed to have adhered to the directives set by the Supreme Court in response to the 2017 presidential elections, which had been annulled. This highlighted the critical role that legal decisions in earlier presidential election petitions play in shaping electoral conduct. For example, in the 2017 presidential election, the Supreme Court found that the IEBC had failed to adhere to the legal requirements for transparency, noting specifically that electronic transmission of results was not properly employed. This led to what the Court described as a "dark zone" between the results at the polling stations and those relayed to the central tallying Centre in Nairobi. The Court further affirmed that vote counts announced at polling stations should be considered final and only subject to change through a legal petition initiated by an aggrieved party, referencing a prior appellate ruling. In response to these concerns, the IEBC undertook corrective measures during the 2022 elections, uploading over 46,000 Forms 34A, which document the results from each

polling station, to a publicly accessible portal. (The East African, n.d.) Moreover, the IEBC successfully operated most of the Kenya Integrated Electoral Management System (KIEMS) kits, with only 1,111 polling stations requiring manual voter identification. A respondent observed this improvement, stating:

“As we observed in this year’s elections (2022), the IEBC has evidently taken into account the 2017 Supreme Court rulings. In 2017, Chief Justice Emeritus Maraga nullified the presidential election primarily due to significant irregularities in the Form 34As. To address this, the IEBC decided to upload all Form 34As directly from each polling station to a public portal, thereby ensuring transparency. Thus, the 2017 ruling provided the IEBC with a critical opportunity to rectify its past mistakes.”

[Thursday, June 23, 2022. Q16 Political Analyst 5, Nairobi]

This sentiment was echoed by another respondent, who noted:

“The IEBC’s approach this year (2022) demonstrates a clear effort to learn from past Supreme Court rulings. In 2017, the opposition raised concerns over the IEBC’s refusal to open the server. This year, results were displayed in real-time on a public portal.”

[Friday, June 24, 2022. Q16 Politician 7, Nairobi]

An additional respondent concurred, explaining:

“This year, a key advantage was the benefit of past legal decisions and judicial precedent. The Maina Kiai ruling, which asserts that results announced at polling stations are final, played a significant role. This ensured that the results publicly available on the portal reflected the final figures from all 46,000 polling stations, thereby simplifying the process and enhancing transparency.”

[Monday, June 13, 2022. Q16 IEBC Official 2, Nairobi]

The testimonies collectively illustrate that the IEBC incorporated lessons from previous Supreme Court decisions to improve the conduct of the 2022 elections. The 2017 ruling, driven by substantial irregularities in Form 34As, led the IEBC to prioritize transparency in 2022 by publicly sharing all Form 34As from polling stations. The 2017 Supreme Court judgment enabled the IEBC to rectify prior shortcomings. Additionally, the real-time availability of election results on a public portal in 2022 directly addressed the opposition's 2017 concerns regarding server access. The Maina Kiai decision, which underscored that polling station results are final, proved instrumental in enhancing transparency and effectiveness during the 2022 elections.

The analysis further identified the Supreme Court of Kenya as a significant contributor to opportunities for improving electoral practices. Created under the Constitution of Kenya in 2010, the Supreme Court has emerged as a pivotal institution in Kenya's ongoing efforts to fortify its electoral system. This Constitution empowers the Supreme Court to adjudicate disputes surrounding presidential elections. After the 2013 presidential election, where His Excellency Uhuru Kenyatta won 50.07 per cent against Mr. Raila Odinga's 43.31 per cent, the court reported anomalies in five of the 22 polling stations audited. However, the Court stated these irregularities were not substantial enough to affect the final outcome.

In the 2017 presidential election petition, multiple precedents were established that the IEBC earnestly sought to implement in 2022. In response to this petition, the Supreme Court nullified the elections due to constitutional breaches in the conduct of the election by the electoral body. This landmark ruling had a profound impact on the IEBC's approach to the 2022 elections, as elaborated in previous sections of this report. One primary informant noted:

“The Supreme Court has played an invaluable role in improving the IEBC’s conduct, as observed in both the 2013 and 2022 petitions. For me, the highlight remains the 2017 petition. By far, the 2022 elections were the most transparent, thanks in large part to the findings of the Supreme Court in 2017.”

[Thursday, June 23, 2022. Q17 Political Analyst 1, Nairobi]

This view was corroborated by another informant, who stated:

“The progress observed in the 2022 IEBC performance owes much to the Supreme Court. Beyond the IEBC, the Supreme Court has also helped in maintaining post-election peace by serving as a legitimate outlet for aggrieved parties. Previously, dissatisfaction with election results often led to street protests and violence, but now the Supreme Court offers a structured avenue for grievances.”

[Friday, June 17, 2022. Q17 Politician 11, Nairobi]

A similar sentiment was expressed by another respondent, who said:

“Undoubtedly, the 2017 rulings by the Supreme Court provided essential guidance for this year’s elections. This precedent has been an opportunity for improvement.”

[Monday, June 13, 2022. Q17 IEBC Official 1, Nairobi]

The responses underscore the Supreme Court's critical role in enhancing the IEBC’s electoral conduct in Kenya. The 2013 and 2022 election petitions exemplify the Supreme Court's positive influence on election processes, with the 2017 petition particularly noted for its impactful rulings that have bolstered the integrity of subsequent elections. The Supreme Court's findings in 2017 are credited with advancing transparency in the 2022 elections. Furthermore, the Court has contributed to post-election stability by providing a

legal pathway for contesting results, thereby preventing violent protests. Its rulings have had a lasting effect on the electoral framework, shaping decisions in subsequent elections and reinforcing accountability and transparency in the electoral process.

The study also recognized independent election observation as an additional opportunity for Kenya's electoral management body to organize, administer, and manage elections in a credible manner that fosters electoral peace. Independent monitoring and timely reporting enable the IEBC to acknowledge its strengths and address weaknesses effectively. A key difference between the 2013 and 2017 elections, compared to the 2022 elections, was the prompt release of preliminary reports from various observer missions before the official results announcement. In past elections, observers faced criticism for delayed reporting, sometimes a year after the elections. However, in 2022, the East African Community (EAC), AU-COMESA, and the Inter-Governmental Authority on Development (IGAD) Election Observer Mission released preliminary findings within just two days of the election.

The EAC Election Observation Mission expressed satisfaction with the election's conduct. Former Tanzanian president Jakaya Kikwete, the Head of Mission, noted that the IEBC had made notable strides in transparency, planning, and management. The Mission particularly commended the IEBC's adept use of technology for voter registration, identification, and results transmission. Kikwete highlighted that the IEBC's effective use of technology increased the efficiency and transparency of the election process. The endorsement of independent observers reassures the public and international community that the election was impartial and credible, bolstering trust in the IEBC among Kenyans and reducing the potential for election-related violence (EU REPORT Boosted Voter Trust, n.d.)

A contributor remarked that:

“The observer mission presents a significant chance for the IEBC to reflect on its strengths and weaknesses, pinpoint areas that require enhancement, and determine which aspects of their operations warrant preservation.”

[Thursday, June 23, 2022. Q18 Political Analyst 2, Nairobi]

Another participant reinforced this viewpoint by stating that:

“The IEBC has the opportunity to utilize independent electoral observation reports as impartial evaluations of its actions. These reports tend to be objective and can assist the IEBC in addressing its shortcomings in the forthcoming electoral cycle.”

[Friday, June 17, 2022. Q18 Politician 9, Nairobi]

This sentiment was echoed by another respondent who suggested that:

“We rely on the recommendations provided by independent electoral observation missions to guide our operations, and the largely favorable report this year reflects a show of confidence from the international community.”

[Monday, June 23, 2022. Q18 IEBC Official 2, Nairobi]

The research further identified that voter education serves as an important avenue for the IEBC to enhance public understanding of various topics essential for effectively planning, conducting, and managing general elections across the nation. This comes against the backdrop of a perceived deficiency in civic education among voters, particularly regarding the voting process, political provocation, and the responsibilities of politicians in relation to post-election violence. It was concluded that the Commission must undertake voter education initiatives in accordance with Article 88(4)(g) of the 2010 Kenyan Constitution. To achieve this goal, the Commission is required to establish systems for ongoing voter education and to mandate the development of a voter education curriculum in compliance

with Section 40 of the Elections Act of 2011. In this context, the IEBC successfully developed a voter education curriculum in 2017, which includes pertinent content and maintains consistent voter education objectives. Furthermore, it provides guidance on training methodologies, instructional materials, and assessment techniques for voter education. This initiative is designed to ensure coherence in voter education and to fulfil the strategic objectives and mandates associated with the Commission's voter education responsibilities.

Unit 9 of the Voter Education Curriculum emphasizes the necessity for the public to understand various electoral violations, their consequences, the underlying causes of these offences, and the preventive measures that can be taken. By focusing on this unit, the IEBC has the opportunity to discourage voters from engaging in activities that could lead to post-election violence. In addition to employing voter education officers, the Commission collaborates with church leaders, local community organizations, non-governmental organizations, and media representatives to serve as ambassadors for voter education. One respondent pointed out that:

“We face significant challenges with civic education in this country. Politicians exploit the ignorance of Kenyan voters to incite them, financially incentivizing them to advance their political agendas, which ultimately leads to violence. I strongly believe that the IEBC needs to intensify their education campaigns nationwide.”

[Thursday, June 23, 2022. Q19 Political Analyst 3, Nairobi]

Another respondent agreed, adding that:

“Ignorant voters often become pawns for politicians during periods of post-election violence in this nation. This is primarily because politicians promise them protection in the event of an arrest, along with monetary rewards. It is crucial that the IEBC fulfils its

obligation to promote civic and voter education so that voters understand the repercussions of engaging in electoral misconduct.”

[Friday, June 17, 2022. Q19 Politician 5, Nairobi]

Additionally, one respondent indicated that:

“In 2017, we rolled out the Voter Education Curriculum, which we rigorously implement to educate voters about their roles in the electoral process systematically. This encompasses everything from their political rights to the electoral offences and the penalties associated with them.”

[Monday, June 13, 2022. Q19 IEBC Official 1, Nairobi]

The study further revealed that to foster electoral harmony in Kenya, the electoral management body employs benchmarking strategies to ensure the incorporation of global best practices in the organization, execution, and management of general elections. The Commission employs several methods to achieve this, including inviting experts, conducting desktop literature reviews, traveling to other emerging countries, and engaging in benchmarking activities. Ultimately, the Commission selects the most feasible and cost-effective methods for adopting these global best practices. For example, the findings highlighted that over the years, both the Secretariat and Commissioners have visited various countries to assist in initiatives aimed at enhancing corporate governance capacity. During these visits, discussions were essential for identifying exemplary practices in policies and operations among different electoral administration bodies.

The study also found that in 2012, the Commission initiated an Election Visitor Program as part of its commitment to enhancing communication and collaboration with international electoral bodies. The objectives of this program included sharing knowledge

with international delegations, improving networking and benchmarking standards, providing opportunities for international election observation, and creating a platform to showcase some of the innovations implemented by the Commission. To this end, the Commission has welcomed numerous delegations from various electoral management organizations over the years.

One respondent commented that:

“Benchmarking serves as a crucial tool for the IEBC, allowing them to learn from how electoral management bodies in other democracies organize, conduct, and manage general elections to foster electoral peace in their respective countries. Countries such as Rwanda, South Africa, and Ethiopia serve as models in this regard.”

[Thursday, June 23, 2022. Q20 Political Analyst 6, Nairobi]

Another participant remarked that:

“I believe the IEBC should undertake benchmarking trips to observe how their counterparts in other democracies successfully conduct credible elections without the need for a plethora of petitions, as is often the case here during every election.”

[Friday, June 17, 2022. Q20 Politician 4, Nairobi]

This viewpoint was supported by a respondent who noted:

“We have established a comprehensive benchmarking program where we examine how peer electoral management bodies in different jurisdictions conduct their elections, particularly focusing on those that manage to maintain peace during election periods.”

[Monday, June 13, 2022. Q20 IEBC Official 1, Nairobi]

The research ultimately concluded that the IEBC could leverage experiential learning from its past errors to enhance its conduct in the organization, execution, and management of

general elections, thereby achieving electoral peace in Kenya. A significant reference point in this context is the Commission’s predecessor, the now-defunct ECK, whose actions during the 2007 general elections led to considerable post-election violence in the country. Furthermore, it was observed that during the 2022 presidential elections, the IEBC drew heavily from the lessons learned regarding the irregularities that occurred during the 2017 general elections, which resulted in the landmark nullification of the presidential election results.

One respondent noted that:

“They say experience is the greatest teacher. This was evident in this year’s (2022) elections, where the IEBC was determined to rectify the mistakes, they made in 2017.”

[Thursday, June 23, 2022. Q21 Political Analyst 5, Nairobi]

Another participant concurred, stating:

“The IEBC now possesses the advantage of hindsight. Under this new Constitution, they have faced challenges in the apex court for seemingly the same issues. It is time for them to learn from their past missteps and strive for improvement in the future.”

[Friday, June 17, 2022. Q21 Politician 3, Nairobi]

Furthermore, a respondent stated:

“With each election, we gain valuable insights, and we consistently carry forward the lessons learned. In my view, the 2022 elections were a clear testament to this.”

[Monday, June 13, 2022. Q21 IEBC Official 2, Nairobi]

The study draws a conclusion based on the gathered data, indicating that the IEBC has multiple avenues available to effectively organize, manage, and conduct elections, ultimately facilitating electoral peace in Kenya. Among the critical elements in this context

are the current court rulings stemming from previous presidential election petitions. This was particularly apparent during the 2022 general elections, where the IEBC seemed to adhere closely to the recommendations arising from the judicial findings that had previously led to the annulment of the 2017 presidential election results. Such recommendations included ensuring the finality of results at the polling stations and guaranteeing a transparent process for the transmission of results from these polling stations to the national tallying center.

This conclusion aligns with Olewe (2022), who asserts that the petitions regarding Kenya's presidential elections and their outcomes played a significant role in shaping and enhancing the electoral process within the country. Similarly, Heinzekehr and Gallagher (2022) note that the efficiency observed in the results transmission process during the 2022 elections was not coincidental but rather a product of the 2013 and 2017 petitions, which highlighted substantial issues of fraud, including the failure of the electoral commission to transmit all results electronically as mandated by law, a measure intended to mitigate the risk of result tampering. Additionally, Wangui (2022) supports the findings of this study, indicating that the Supreme Court has employed both quantitative and qualitative analysis in adjudicating election petitions at various stages, contributing positively to the improvement of the nation's electoral system.

The conclusions drawn from this research indicate that the establishment of the Supreme Court of Kenya through the 2010 Constitution has provided the Independent Electoral and Boundaries Commission (IEBC) with a legitimate opportunity to organize, manage, and conduct elections in a manner that fosters electoral peace within the country. The Supreme Court has explicitly outlined a procedural framework through which parties in a presidential election can challenge the results by filing an electoral petition. This legal

mechanism serves as a vital remedy for the post-election violence prevalent during earlier election cycles before the adoption of the current Constitution, largely attributable to a lack of effective dispute resolution methods that often resulted in the losing side resorting to violence.

Additionally, this conclusion aligns with Oluoch's (2022) assessment, which notes that the Kenyan Supreme Court is approaching its 11th year since its establishment. In recent times, the Supreme Court has emerged as a pivotal entity in the nation's increasing demand for improved electoral laws and practices. The findings also resonate with Kiplagat and Wasuna's (2022) assertions, which state that the IEBC's commitment to adhering to the Supreme Court's strict caution—indicating that similar disputes would yield the same judicial decisions if the irregularities persisted, irrespective of the candidates involved—was instrumental in the enhanced transparency observed during the general elections of 2022. The Supreme Court consistently demonstrates a steadfast commitment to upholding the Constitution.

Furthermore, the results suggest that independent election observation presents the IEBC with a legitimate pathway to organize, conduct, and manage elections effectively, thereby contributing to electoral peace in Kenya. Through the process of independent observation and timely reporting, the IEBC can not only identify and capitalize on its strengths but also work on ameliorating its weaknesses. The assurance of independent election observation fosters confidence among the general public and the international community, reinforcing the perception that elections were conducted fairly and credibly. Consequently, this enhances the trust of the Kenyan populace in the IEBC, which subsequently reduces the potential for electoral violence.

The findings corroborate Khaduli's (2022) assertion that election observation is an effective strategy for enhancing the quality of elections (EU REPORT Boosted Voter

Trust, n.d). Observers play a critical role in bolstering public confidence in the integrity of electoral processes. Furthermore, the civil and political rights of electoral participants can be promoted and safeguarded through observation. Kimeu (2022) adds that election observation can lead to the rectification of errors or questionable procedures, even while the electoral process is ongoing. Such observations can deter fraudulent practices and manipulation or, if they occur, bring them to light. The ability of observers to provide accurate and timely reports fosters trust in the democratic framework and strengthens the legitimacy of the governments formed as a result of elections. Olewe (2022) also supports the notion that domestic observer groups enhance civic engagement in political processes. The insights and recommendations provided by these observer groups can lead to significant improvements in national laws and practices post-election.

Additionally, the data suggest that voter education affords the IEBC a credible opportunity to organize, conduct, and manage elections in a way that promotes electoral peace in Kenya. This initiative directly addresses the evident deficiency in civic education among voters regarding the electoral process, the risks of political incitement, and their roles in mitigating post-election unrest. In response, the IEBC has developed a Voter Education Curriculum, which has been significantly leveraged to educate voters on a wide array of subjects, including electoral offenses, their causes, and preventive measures against such violations. This initiative is crucial in informing the public about various electoral infractions and the consequences that accompany them.

This conclusion is in agreement with Sossion's (2022) observation that both voter education and civic education are vital to ensuring that all voters—regardless of gender—are cognizant of their rights, the political system in place, the issues at stake in elections, and the appropriate procedures for casting their votes. Moreover, the findings are consistent with Mahandara's (2022) perspective that, for a democratic election to be

deemed successful, voters must possess a clear understanding of their rights and responsibilities, as well as the necessary knowledge to cast valid ballots and engage meaningfully in the electoral process. Additionally, the results align with Long's (2022) argument that voter and civic education hold even greater importance in post-conflict nations due to the heightened risk of volatile political situations and the potentially significant impact of elections on the future trajectory of these countries.

The conclusions further imply that the IEBC has an opportunity to authentically organize, manage, and conduct elections that promote electoral peace in Kenya through benchmarking practices. By leveraging benchmarking strategies, the IEBC can adopt global best practices regarding the organization, management, and conduct of general elections to foster electoral peace in Kenya. Through a benchmarking exercise, the IEBC can observe how electoral management organizations in exemplary democracies like Rwanda, South Africa, and Ethiopia effectively structure and execute their general elections, ultimately achieving electoral tranquility within their jurisdictions. This conclusion is in harmony with Kiplangat's (2022) observation that the IEBC ought to perform a comparative analysis of the challenges associated with the appointment, composition, funding, and operations of various electoral management bodies across Commonwealth countries, specifically looking at South Africa, Australia, Canada, and the UK, to identify best practices that could be adopted.

In light of the findings, it can be concluded that the IEBC has a significant opportunity to enhance its performance in the organization, management, and conduct of general elections, thereby contributing to electoral peace in Kenya. This is particularly important in relation to the experiences of the now-defunct Electoral Commission of Kenya (ECK), the presidential election petition of 2013, the irregularities that necessitated that petition, and the annulment of the 2017 elections. Oluoch (2022) underscores that a notable

transformation in the 2022 elections was the IEBC's action of uploading all results from 46,229 polling stations onto a public portal, ensuring transparency and accessibility for interested parties. This indicates that the IEBC appears to have learned from its shortcomings in the 2017 elections, representing a marked improvement over that election cycle when the IEBC resisted the Supreme Court's orders to open its servers for result verification. The Supreme Court's annulment of the presidential elections in 2017 was partially due to these failures.

The Rational Choice Theory posits that a thorough understanding of the rational choices made by political actors, voters, and other stakeholders can illuminate potential challenges to maintaining peace during elections. For instance, it may reveal whether political elites perceive violence as a means to achieve their goals or if electoral violence is driven by deep-seated grievances and animosities among specific communities. Furthermore, this theory can highlight opportunities for institutional reform or the implementation of strategies that promote inclusive and peaceful electoral processes.

6.3 Chapter Summary

In order to establish electoral peace in Kenya, this chapter has examined the opportunities and obstacles that the electoral management body in Kenya encounters when planning, carrying out, and managing elections. The identified challenges and opportunities have accordingly been analyzed thematically along the two themes. The results have been discussed in relation to their concurrence and contrast with extant published empirical literature. The next chapter covers a summary of key findings, conclusion and recommendations.

CHAPTER SEVEN

SUMMARY OF FINDINGS, CONCLUSION AND RECOMMENDATIONS

7.0 Introduction

This chapter overviews the main study findings, the logical conclusion drawn, and recommendations for additional investigation, practice, and policy. It aims to link the research objectives and relevant research questions to the findings and make inferences based on those inferences. The chapter ends with suggestions for more research to show how the identified knowledge gaps and limits might be filled in and addressed.

7.1 Summary of Findings

7.1.1 Essence of Kenya's Electoral Management System

Summary of Research Findings on Kenya's Electoral Management System: The research examined the fundamental aspects of Kenya's electoral management system (EMS) and its impact on post-election violence throughout the country's history (Otieno, Ochieng., Matanga, & Iteyo, 2023). By conducting surveys and analysing the data, several crucial findings were uncovered. Most participants concurred that Kenya's EMS upholds citizens' freedom to vote, fosters fair representation and equality of suffrage, and supports free and fair elections. Moreover, the respondents emphasised the significance of the EMS in establishing mechanisms for resolving electoral disputes, determining election criteria, election formulae, and campaign conduct. These findings collectively underscore the vital role of the EMS in shaping Kenya's electoral landscape. Conclusion: The research findings underscore the foundational importance of Kenya's electoral management system in safeguarding democratic processes and mitigating the risk of post-election violence. The EMS serves as a cornerstone for upholding citizens' rights, ensuring fair representation, and fostering trust in the electoral process. However, perceived bias, lack of transparency,

and weaknesses in electoral laws present areas for improvement. Addressing these challenges is vital for strengthening the EMS and enhancing its effectiveness in promoting electoral peace and stability.

Recommendations for Policy, Practice, and Research

1. Policy: Policymakers should prioritize reforms geared towards enhancing Kenya's electoral management bodies' independence, transparency, and accountability. This may involve enacting legislation to bolster institutional independence, improve transparency in electoral processes, and enhance mechanisms for resolving electoral disputes. 2. Practice: Electoral management bodies should prioritize measures to enhance transparency, impartiality, and public trust in electoral processes. This may include improving voter education initiatives, enhancing electoral observation mechanisms, and implementing robust measures to prevent electoral malpractice. 3. Research: Further research is essential to explore the specific mechanisms through which the EMS influences post-election violence in Kenya. Longitudinal studies tracking electoral trends and violence incidents over time can provide valuable insights into the causal pathways and dynamics underlying this relationship. Additionally, comparative studies examining the EMS in other countries facing similar challenges can offer valuable lessons and best practices for Kenya's electoral reform efforts. The implementation of these recommendations can empower Kenya to strengthen its electoral management system, reduce the risk of post-election violence, and foster a more inclusive and democratic political environment.

To examine the core elements that constitute Kenya's electoral management system, the study aimed to gather respondents' perspectives on various statements relating to the fundamental aspects of this system. Respondents largely agreed that Kenya's electoral framework safeguards citizens' rights to vote (mean rating: 4.186), promotes equitable representation (4.297), ensures equal voting opportunities (4.360), upholds free and fair

election principles (4.411), provides mechanisms for settling electoral disputes (4.106), assigns authority for overseeing elections and referendums to the electoral management body (4.377), and defines eligibility criteria for voters (4.076).

In-depth interviews with key informants highlighted that Kenya's electoral process adheres to the First Past the Post (FPTP) principle, which is a model of plurality/majority voting. This framework is anchored in the 2010 Kenyan Constitution and involves many stakeholders, each assigned distinct roles in alignment with constitutional mandates. The primary stakeholders include the voter, endowed with the fundamental right to vote; the Independent Electoral and Boundaries Commission (IEBC), charged with conducting elections, by-elections, and referendums; the judiciary, responsible for addressing election-related disputes and legal cases; and parliament, which legislates and amends election laws as necessary. Additional influential participants comprise the executive arm, particularly the incumbent, media organizations, and the national security apparatus, all of whom play critical roles in the electoral landscape.

Based on comprehensive analysis, the research fulfilled its central objective of investigating the relationship between Kenya's electoral management framework and the prevalence of post-election violence since the country's independence. Findings confirmed a significant link between weaknesses in the electoral management system, such as inadequate transparency, political intervention, and logistical hurdles, and the occurrence of post-election violence. This outcome substantiates the achievement of the study's primary objective, which aimed to elucidate this connection.

7.1.2 Causes and Consequences of Post-Election Violence in Kenya

The research sought to delve into the relationship between Kenya's electoral management system (EMS) and the phenomenon of post-election violence (PEV) from independence onward. By focusing on the EMS's operational effectiveness and examining its influence

on the frequency and intensity of PEV, the study aimed to elucidate how systemic factors within the electoral structure contribute to violent episodes following elections. Specifically, the study endeavoured to identify both the causes and ramifications of post-election violence in Kenya from 1963 onward (Ochieng et al.,2023) This examination involved assessing the roots of PEV and understanding its long-standing effects on the nation. The primary guiding research question was, "What are the causes and consequences of Kenya's post-election violence since 1963?"

This research presented valuable insights into the drivers and impacts of PEV over the past six decades in Kenya. Contributing factors identified included the "winner-takes-all" election framework, incitement by political figures, ineffective mechanisms for resolving electoral conflicts, perceived biases within the EMS, and the uneven application of electoral regulations. Such findings emphasize that a confluence of systemic inefficiencies within the EMS, combined with political and societal variables, fosters conditions conducive to election-related violence.

The impact of post-election violence dating back to 1963 has been far-reaching, disrupting numerous aspects of Kenyan society and stalling long-term developmental progress. Identified consequences include the destruction of property, displacement of citizens, economic disruptions, fatalities, psychological trauma, refugee crises, incidents of sexual violence, joblessness, the collapse of businesses, and exacerbated poverty levels. These impacts underscore the profound toll PEV exacts on Kenyan society, affecting individuals, communities, and the nation's broader socio-economic and political stability (An Evaluation of the Role of The State in Conflict Resolution over Bwejuu and Ukongoni Villages in Zanzibar Over the Duchi/Gana Forest,2002-2003 n.d.). By analysing the implications of these findings, it becomes apparent that the efficiency and robustness of the EMS are crucial to fostering electoral integrity and reducing the likelihood of violence.

Shortcomings within the EMS, particularly in the areas of perceived impartiality and conflict resolution, can exacerbate societal tensions and elevate the potential for violent outcomes. Furthermore, the consequences of post-election violence extend well beyond the immediate period following the elections, influencing various aspects of Kenyan life and hindering developmental strides. Addressing the root causes of PEV and investing in conflict-prevention and resolution mechanisms are essential steps toward achieving lasting peace, stability, and inclusive progress in Kenya.

The study's findings reveal the intricate interconnections among Kenya's electoral management system, political dynamics, and social factors, significantly contributing to the escalation of post-election violence. Addressing the EMS's underlying issues, fostering inclusive governance, and promoting a culture of non-violent political transitions is vital to curbing the risk of such violence and strengthening Kenya's democratic processes.

This research sought to provide a detailed understanding of the drivers and extensive impacts of post-election violence (PEV) in Kenya, focusing on occurrences since 1963. Through thorough analysis, several critical findings emerged, highlighting factors perpetuating PEV and detailing its severe repercussions. Identified contributing factors include the "winner-takes-all" electoral system, inflammatory behaviour by political leaders, insufficient conflict resolution channels, perceived partiality within the electoral management system, and discriminatory enforcement of electoral laws. These issues, among others, have played a significant role in stoking tensions and instigating violence in the wake of elections.

Consequences of PEV have included widespread destruction of property, displacement of individuals, economic instability, casualties, emotional trauma, refugee displacement, sexual violence, job losses, business failures, and deepening poverty. These findings

underscore the complexity and multidimensional nature of post-election violence in Kenya. The recurrent nature of PEV since 1963 points to enduring structural issues within the electoral framework and broader societal challenges. The persistence of these elements highlights the pressing need for systemic reforms to address the root causes of violence and build resilience against future occurrences. Failure to take meaningful action could perpetuate cycles of instability, undermining democratic advancement in Kenya.

Recommendations: 1. Policy: Policymakers should prioritize reforms to address the systemic issues contributing to post-election violence. This involves implementing electoral reforms to foster inclusivity, fairness, and transparency in the electoral process. Legislation should be enacted to strengthen electoral laws, enhance the independence of electoral management bodies, and establish mechanisms for peaceful dispute resolution. 2. Practice: Electoral management bodies and stakeholders should prioritize conflict prevention and resolution efforts. This includes investing in voter education programs to promote civic awareness and peaceful participation in the electoral process. Additionally, robust mechanisms for monitoring and addressing hate speech, incitement, and electoral malpractices must be put in place to prevent violence. 3. Research: Further research is essential to deepen the understanding of the causes and dynamics of post-election violence in Kenya. Longitudinal studies tracking electoral trends, socio-economic factors, and conflict dynamics can provide valuable insights into the underlying drivers of violence and inform targeted interventions. Comparative research examining case studies from other countries facing similar challenges can also offer lessons and best practices for mitigating the risk of post-election violence.

By following these recommendations, Kenya can progress in constructing a more resilient electoral system and nurturing a culture of peaceful democratic transition. Stakeholders from across government, civil society, and the international community must cooperate in

addressing the underlying causes of post-election violence and protecting Kenya's democratic

The study's second objective also aimed to explore the causes and repercussions of post-election violence in Kenya, dating back to its independence in 1963. Most respondents strongly agreed that several factors contribute to post-election violence in the country, including disputed election results (rated 4.271), inadequacies in electoral conflict resolution processes (4.275), a "winner-takes-all" election structure (4.364); insufficient transparency in vote tallying and counting (4.098); biased enforcement of electoral laws (4.161); perceptions of partiality within the electoral management body (4.199); incitement of voters by politicians (4.364); weak legal repercussions for election-related violence (4.098); impunity among politicians for incitement (4.161); and perceived manipulation by the electoral management body (3.970).

In line with these views, key informant interviews further revealed that respondents believed the structure of Kenya's electoral system may, to a significant extent, contribute to post-election violence. It was noted that while the electoral system has seen substantial improvements to mitigate violence – much of which can be credited to the current constitution and the Elections Act – there remain lingering issues. Some respondents pointed out that a critical weakness remains in the perceived lack of independence of the Independent Electoral and Boundaries Commission (IEBC) and the entrenched "winner-takes-all" mentality.

Furthermore, the study sought to determine the impacts of post-election violence in Kenya, dating back to 1963. Respondents overwhelmingly indicated that the consequences of post-election violence encompass a range of issues, including casualties (4.314); the displacement of individuals leading to internally displaced persons (IDPs) (4.339); the creation of refugees (4.246); incidences of sexual violence (4.208); widespread destruction

of private and public properties (4.364); economic disruptions such as business closures and revenue losses (4.098); rising unemployment (4.161); increasing poverty levels (3.970); emotional and psychological distress among affected populations (4.275); and economic instability across the country (4.331).

Additionally, the study's specific objectives were effectively met, which focused on identifying the causes and consequences of post-election violence and evaluating the challenges and opportunities for Kenya's electoral management body. The study sheds light on Kenya's electoral system, identifying crucial areas for improvement, such as voter education, enhanced transparency, and accountability. It further highlights the divisive nature and institutional weaknesses that exacerbate post-election violence, deeply impacting society and governance.

This research aimed to delve into the origins and impacts of post-election violence (PEV) in Kenya from 1963 to recent years. A detailed analysis revealed key contributors to PEV, including the "winner-takes-all" election framework, the incitement of voters by politicians, ineffective electoral conflict resolution mechanisms, perceived partiality within the electoral management system, and discriminatory enforcement of electoral laws. These and other factors have heightened post-election tensions, ultimately leading to violence. The wide-ranging impacts of PEV are extensive, with consequences such as property destruction, displacement, economic instability, loss of lives, emotional trauma, refugee crises, sexual violence, job losses, business failures, and worsening poverty levels.

7.1.3 Challenges and Opportunities Faced by the Electoral Management Body in Managing Elections in Kenya

The research study third objective sought to evaluate the challenges and opportunities faced by Kenya's electoral management body in organizing, conducting and managing elections to foster electoral peace in the country and dissect the nexus. between Kenya's

electoral management system (EMS) and the phenomenon of post-election violence (PEV) from independence onward. (Ochieng, Matanga., & Iteyo, 2023) and (Otieno, Ochieng, Matanga. & Iteyo.,2024)

Here is a summary, conclusion, and set of recommendations based on the study's objective of evaluating the challenges and opportunities the electoral management body in Kenya faces in achieving electoral peace:

Summary: The research identified various challenges that hinder the electoral management body in Kenya from effectively organizing, conducting, and managing elections to establish electoral peace. These challenges include logistical obstacles, lack of transparency, political interference, and inadequate voter education. Nevertheless, the study also uncovered potential opportunities, such as technological advancements, increased civic participation, and international support, which could facilitate improvements in the electoral process.

In striving to achieve electoral peace in Kenya, the third purpose of the study also intended to uncover the obstacles and possibilities confronting the electoral management body, specifically the IEBC, in organizing, conducting, and overseeing elections. Findings revealed that the IEBC faces an array of challenges that span operational, administrative, and legal dimensions. Notable operational challenges include intense public scrutiny over the procurement of election materials, failures in technologies used from voter registration to vote counting and results transmission, as well as issues related to funding. Administrative challenges include political influence in commissioner appointments, intimidation and harassment of election officials, particularly presiding and returning officers, and in some instances, targeted violence against key officials. Legal challenges entail tight timeframes imposed by law, which restrict the time available to gather

sufficient evidence for responses to presidential petitions or to comply with judicial directives.

The study further aimed to identify opportunities available to the electoral management body in Kenya for conducting elections in a lawful, organized, and efficient manner to achieve electoral peace. Notably, the legal precedents established by prior presidential election rulings present significant opportunities. Specifically, the 2022 general elections underscored the importance of compliance with Supreme Court orders following the 2017 annulled presidential election, highlighting how adherence to legal precedents could enhance electoral integrity.

The Supreme Court of Kenya emerged in the study as a critical element in these efforts. Established under the 2010 Kenyan Constitution, the Supreme Court has played an instrumental role in shaping and strengthening the country's electoral legal framework. Additionally, the study found that independent election observers offer a valuable opportunity for the IEBC to ensure transparent and fair elections, contributing to electoral peace. Another key finding emphasized the role of voter education, which presents the IEBC with an avenue to enhance public awareness on numerous election-related matters. Educating voters on the electoral process can counteract prevalent civic education gaps, reduce susceptibility to political incitement, and inform citizens about the influence of political figures in managing post-election issues.

Benchmarking was also noted as a strategic tool employed by the electoral management body to adopt global best practices in organizing, conducting, and managing general elections. The IEBC utilizes various strategies for benchmarking, such as inviting international experts, conducting desktop research, engaging in visits to other developing nations, and holding consultative sessions. The study concluded that by learning from past

challenges, the IEBC could refine its practices in overseeing elections, thereby promoting electoral peace in Kenya. Additionally, the study comprehensively examined the obstacles and opportunities faced by Kenya's electoral management body, identifying logistical problems, political interference, and resource constraints as major challenges, while recognizing advancements in technology, international support, and increasing civic engagement as significant opportunities. By addressing these challenges and leveraging available opportunities, the electoral management body can enhance its capacity to foster peaceful and credible electoral processes in Kenya.

7.2 Conclusions

In conclusion, the research study effectively addressed the general objective and specific objectives related to the electoral management system, cause and consequences of post-election violence and challenges and opportunities of the electoral management body in Kenya. The findings provide valuable insights for policymakers, electoral management bodies and other stakeholders to enhance electoral processes and prevent post-election violence in the country.

7.2.1 Essence of Kenya's Electoral Management System

The study draws its conclusions from the results of the first objective, which show that the foundation of Kenya's electoral management system is the First Past the Post concept, a type of plurality/majority system that is embodied by a variety of stakeholders and based on the Kenyan Constitution of 2010. The institutional and legal underpinnings for the election system are established by the Constitution, which is a supreme law. The IEBC, which is responsible for overseeing or organizing elections and referendums, is the key institutional stakeholder in the system. Another important institution is the judiciary, which plays a significant role in resolving electoral disputes. Parliament, county

governments, the executive, the interior security docket, and the media are additional important organizations. Voters have a significant role in the election process of the nation because the Constitution guarantees them certain voting-related rights.

Only a minority of voters trust the IEBC to translate votes cast in a presidential election into a president, party and government voted for by the people. A majority however believes that our electoral system aggravates political tension thereby leading to outbreak of violence. It is when electoral system makes the opposition feel like they cannot win fairly, and the political framework does not give them a chance to win in the next election cycle thereby making them feel like they may be compelled to seek power through illegal means particularly violent means. In Kenya, voters now feel disillusioned that their votes do not count leading to voter apathy in opposition strongholds. It is deducible that our electoral management system at the national level lends to incumbent president's majority tyranny whereby there is suppression of the rights and liberty of a majority by the minority. The results also show that the majority of Kenyan voters believe the country's electoral system supports free and fair elections as well as the freedom of citizens to exercise their right to vote. The results also suggest that the majority of Kenyan voters believe the country's election system supports equal representation and fair voting. The study concludes from its findings that the majority of Kenyan voters believe that the electoral process creates procedures for resolving electoral disputes. This impression is supported by Article 87 of the Kenyan Constitution, which mandates that Parliament pass legislation to establish procedures for expeditious resolution of electoral disputes.

7.2.2 Causes and Consequences of Post-Election Violence in Kenya

From the findings related to the study's second objective, it is deduced that one of the primary instigators of post-election violence in Kenya, traceable as far back as 1963, is the incitement of voters by political figures. Political leaders often exploit vulnerable and

unemployed youth, manipulating them into perpetrating violence as a means to intimidate or retaliate against individuals perceived as supporters of opposition candidates. This manipulation of the youth is often intensified by ethnic divisions, where voters from certain tribes are presumed to have supported the opposition candidate, resulting in retaliatory attacks against them. This trend was particularly notable in the election periods leading up to the enactment of Kenya's new Constitution in 2010, with especially violent episodes occurring in the 1992 and 2007 election cycles.

Further insights from the study indicate that disputed election outcomes, coupled with inadequate mechanisms for resolving electoral conflicts, are also major contributors to post-election violence in Kenya, with roots going back to 1963. Before the Constitution of Kenya was revised in 2010, the frameworks for addressing electoral disputes were ineffective, lacking robustness and transparency. Losing candidates, particularly those alleging electoral fraud, faced significant challenges in pursuing legitimate avenues to address their grievances, which often led to violent protests as a form of expressing dissatisfaction. The introduction of the 2010 Constitution marked a significant shift by establishing the Supreme Court, which created a well-defined legal platform for aggrieved parties, especially in presidential contests, to submit petitions and seek justice.

Additionally, the findings infer that weak legal framework regarding election-related violence, particularly concerning politicians accused of incitement and violent provocation, have been a persistent issue contributing to post-election violence since 1963. To date, politicians implicated in violence often evade accountability; those prosecuted face minimal consequences, as they are typically released on bail or bond, which they can afford, and their cases linger due to prolonged investigations and extensive court proceedings. The study findings further suggest that another structural factor fueling post-election violence is Kenya's "winner-takes-it-all" electoral system. Under this plurality

voting structure, the winning candidate's party assumes full control of the executive branch of government, while the losing side remains unrepresented, regardless of the number of votes garnered. This system results in substantial disenfranchisement of the losing faction, intensifying feelings of injustice and prompting them to engage in violent protests.

The study also points to the issue of incumbency as a significant factor behind post-election violence, connected to Kenya's "winner-takes-it-all" framework, observed since 1963. Incumbent presidents often display reluctance to vacate office, using state resources to influence the electoral process, including manipulations involving the electoral management body. Findings also conclude that lack of transparency during the vote tallying and counting stages of the election process is another major cause of post-election violence, with incidents surfacing prominently in the 2013 and 2017 general elections. In these instances, petitioners argued that failures in the electronic voting system managed by the Independent Electoral and Boundaries Commission (IEBC), and issues in electronically transmitting results, compromised the legitimacy of the Presidential election outcomes.

Another prominent cause of post-election violence highlighted by the study findings is the perceived bias and electoral malpractice by the electoral management body. This was a primary factor in the eruption of violence following the 2007 general elections, and similar issues emerged in the petitions and violent incidents associated with the 2013 and 2017 elections.

The study further establishes that among the severe consequences of post-election violence in Kenya, dating back to independence, is the internal displacement of persons. Many individuals were forcibly evicted from their homes, while others fled voluntarily due to fear, enduring substantial property loss. Among the most severe repercussions are

casualties, widespread destruction of private and public properties, and the emergence of refugee crises. Another major consequence of post-election violence identified in the study is sexual violence, which has repeatedly affected communities in the aftermath of elections. The findings further imply that post-election violence precipitates economic instability, leading to business closures, revenue losses, rising unemployment, and increased poverty rates. The psychological and emotional toll of post-election violence is also significant, as many victims experience distress, depression, a pervasive sense of dissatisfaction with the government, and lingering fears for their personal safety and the safety of their families.

In conclusion, the findings underscore the complex, intertwined factors that have driven post-election violence in Kenya since 1963. The recurrent nature of this violence highlights deep-rooted issues in the electoral system and broader societal tensions. The persistence of these contributing factors accentuates the pressing need for comprehensive reforms aimed at addressing the foundational causes of violence, thereby fostering resilience to prevent future outbreaks. Without targeted and decisive interventions, Kenya faces the risk of enduring repeated cycles of instability, ultimately threatening the nation's democratic advancements.

7.2.3 Challenges and Opportunities the Electoral Management Body in Kenya faces in Managing Elections

The findings from the study's third objective reveal that one of the primary challenges in Kenya is effectively policing election-related offenses. This difficulty arises from inadequate funding and limited cooperation among security agencies, as well as issues such as corruption, a lack of integrity in the electoral process, voter ignorance and illiteracy, the impunity of political leaders, tribalism, nepotism, hostility, and inadequate collaboration. To address these challenges, effective civic education delivered promptly,

along with the provision of ample high-quality resources to manage electoral crimes, and the enforcement of stringent penalties for election offenses were identified as potential solutions.

The study determined that deep-rooted political corruption, tribalism, a lack of transparency and accountability from responsible entities, and the distribution of cash gifts to voters are significant barriers to achieving free and fair elections. Implementing civic education focused on voters' rights and effective leadership, maintaining strict law and order, imposing severe penalties for electoral law violations, promoting patriotism and national unity, and assisting the electoral body in facilitating fair elections for all political parties were highlighted as potential remedies.

Further insights from the study's conclusions indicate that the Independent Electoral and Boundaries Commission (IEBC) encounters numerous challenges in planning, managing, and executing elections in Kenya. These challenges can be categorized into three main types: administrative, operational, and legal. A key operational obstacle is the commission's struggle to effectively fulfill its constitutional responsibilities. Additionally, the procurement of essential technology and hiring qualified personnel—critical actions for election preparations—are significantly hindered by inadequate funding. The findings also indicate that the IEBC faces considerable operational difficulties in its efforts to plan, conduct, and supervise elections to ensure electoral peace in Kenya, especially noted in the contentious procurement processes for sensitive electoral tools and technology during the 2013 and 2017 general elections.

The results suggest that technological challenges also impede the IEBC's ability to plan, manage, and conduct elections aimed at achieving electoral harmony in Kenya. Specifically, the failures of the biometric voter registration (BVR) system and the Kenya Integrated Election Management System (KIEMS) kits during the 2013 and 2017 elections

posed significant obstacles. However, these issues were largely resolved in the 2022 general elections, which were regarded as technologically successful by observers.

The study's findings indicate that the IEBC also faces significant legal challenges when planning, conducting, and overseeing elections in Kenya. Key among these legal issues are responses to allegations of irregularities and rigging in presidential election petitions. For instance, in 2013, the IEBC was accused of conducting an election that was difficult to verify and fraught with multiple errors, contrary to the constitutional requirement for a straightforward, accurate, verifiable, secure, responsible, and transparent process. In 2017, the commission faced accusations of manipulating the tallying process using a predetermined algorithm and of lacking transparency. Allegations arose in 2022 that the IEBC fraudulently announced Dr. William Ruto as the winner without the consent of the commissioners.

The study's conclusions also indicate that the IEBC deals with administrative challenges in its election planning and management in Kenya. Instances such as the misprinting of ballots in four wards during the 2013 general election and the postponement of the 2022 gubernatorial elections in Kakamega and Mombasa due to printing errors exemplify these challenges. Other logistical issues include delays in setting up polling stations or the late arrival of election materials and officials.

The findings suggest that employee insecurity is a significant administrative challenge for the IEBC in planning, managing, and conducting elections to achieve electoral peace in Kenya. Such insecurity can negatively impact employee productivity during elections. Notable incidents contributing to this concern include the murder of Chris Msando, the election official responsible for the computerized voting system, shortly before the August 8 elections in 2017, and the murder of a returning officer for Embakasi West Constituency in the 2022 elections, whose body was found in Kajiado County.

Additionally, the study indicates that a lack of trust among some voters in the IEBC complicates the planning, conducting, and management of elections aimed at promoting electoral peace in Kenya. This mistrust is fueled primarily by political smear campaigns but was exacerbated by the annulment of the 2017 presidential election due to significant irregularities and by the contestation of the validity of the 2022 presidential election results declared by the IEBC by the Azimio coalition, who claimed the commission failed to provide servers for audit and scrutiny.

The study concludes that there are numerous opportunities for the IEBC to effectively organize, manage, and conduct elections to foster electoral peace in Kenya. Notably, recent court rulings regarding previous presidential election petitions are significant. This was particularly evident in the 2022 general elections, where the IEBC appeared to adhere to recommendations stemming from judicial findings related to the annulment of the 2017 presidential results. These included the failure to open presidential election servers for audit, verification, and authentication of the results, along with the transparent transmission of results from polling stations to the national tallying center.

Moreover, the establishment of the Supreme Court of Kenya under the 2010 Constitution has created an opportunity for the IEBC to legitimately organize, manage, and conduct elections to promote electoral peace. The Supreme Court delineates a procedural framework allowing parties to contest presidential election results through electoral petitions, providing a crucial remedy to the post-election violence that frequently characterized election cycles before the current Constitution were enacted, which stemmed from inadequate dispute resolution mechanisms.

The findings also imply that the IEBC has a chance to successfully organize, manage, and execute elections to promote electoral peace in Kenya through independent election observation. This process allows the IEBC to acknowledge and build upon its strengths

while addressing its weaknesses. Independent observation and timely reporting can help assure the public and the international community that elections are conducted fairly and credibly, thereby enhancing trust in the IEBC among many Kenyans and reducing the potential for violence.

Furthermore, the data indicate that voter education presents an opportunity for the IEBC to effectively organize, conduct, and manage elections to achieve electoral peace in Kenya. This is especially relevant in addressing voters' apparent lack of civic education regarding the voting process, political incitement, and their roles in preventing post-election unrest. By developing a Voter Education Curriculum, the IEBC has capitalized on this opportunity, covering various topics, including election offenses, their causes, and methods to prevent them. This curriculum serves to inform the public about the various electoral offenses and their associated penalties.

The conclusions suggest that the IEBC can also leverage benchmarking to credibly organize, conduct, and manage elections to foster electoral peace in Kenya. By adopting global best practices related to the organization, conduct, and management of general elections, the IEBC can learn from electoral management organizations in model democracies like Rwanda, South Africa, and Ethiopia to facilitate electoral peace in their own contexts.

Lastly, the study concludes that the IEBC can utilize experiential learning from past mistakes as an opportunity to improve its conduct in organizing, conducting, and managing general elections to achieve electoral peace in Kenya. Important reference points include the defunct Electoral Commission of Kenya (ECK) and the irregularities that led to the 2013 presidential election petition and the nullification of the 2017 results.

Ultimately, the research has highlighted a connection between Kenya's electoral system and the occurrence of post-election violence since 1963. This link is particularly evident

in the winner-take-all majoritarian electoral system, which elevates the stakes of elections in a nation with diverse nationalities. The divisive nature of political campaigns, where elites often seek to exclude their opponents from mainstream democratic processes and governance, exacerbates this issue. Given the high stakes, each side resorts to violence as a tactical option to avoid total defeat, significantly contributing to the post-election violence witnessed in Kenya since 1963.

Conclusions: The electoral management body in Kenya faces substantial challenges in ensuring peaceful and fair elections. Addressing issues related to transparency, political interference, and voter education is vital for enhancing the electoral process. Furthermore, leveraging technological advancements and promoting civic engagement can bolster the credibility and integrity of elections in Kenya.

7.2.4 Overall Conclusion

The overall finding of the study is that Kenya has been using an ineffective electoral management system since 1963, which is marked by a perceived bias. This system has been observed to significantly contribute to post-election violence and exacerbate mistrust and fear of exclusion because it forces electoral losers to incite their core supporters to contest election results, which in turn causes political instability, social unrest, and economic turmoil.

To summarize the research paper, it delved into the correlation between the electoral management system and post-election violence in Kenya since independence in 1963. The study identified various contributing factors to violence, such as disputed election results, tribalism, inadequate conflict resolution mechanisms, and the "winner-takes-it-all" election system. The significance of the research lies in shedding light on the critical issue of electoral violence in Kenya's democratic processes. Understanding this relationship between electoral systems and violence allows policymakers to make informed decisions

to prevent and mitigate violence during elections. Furthermore, the research opens up avenues for further exploration, including electoral reforms, media influence, and community-level dynamics. In conclusion, this research work contributes significantly to building a more peaceful and democratic electoral environment in Kenya, emphasizing fair representation and inclusivity.

7.3 Recommendations

Based on the research findings, specific policy recommendations are proposed to mitigate the association between the electoral management system and post-election violence in Kenya. Firstly, electoral reforms are vital. It is imperative to bolster transparency and credibility throughout the electoral process by promptly publishing detailed election results that are easily verifiable. Additionally, strengthening dispute resolution mechanisms through the swift and impartial handling of election-related disputes by independent tribunals or courts is essential. Moreover, promoting inclusivity in electoral management bodies to ensure representation from diverse backgrounds fosters trust. Voter education should be prioritized to enlighten voters about their rights, the electoral process, and the significance of peaceful participation. Lastly, enforcing strict codes of conduct for politicians, parties, and media during elections to discourage hate speech and incitement is crucial. Political dialogue and mediation are also instrumental. Encouraging dialogue among political leaders to facilitate discussions on electoral reforms, power-sharing, and conflict prevention is imperative. Furthermore, mediation efforts can help resolve disputes before they escalate into violence. International support is pivotal. Collaboration with international partners such as the United Nations and regional organizations to seek technical assistance for electoral reforms is crucial. Additionally, the presence of international election observers can elevate credibility and serve as a deterrent to violence. Lastly, long-term peacebuilding efforts are essential. Addressing underlying social

divisions beyond elections through the promotion of inter-community dialogue, reconciliation, and historical justice is crucial. Furthermore, investments in education, economic opportunities, and infrastructure are imperative to reduce grievances. It is imperative to implement these recommendations within the specific context of Kenya and continuously evaluate their effectiveness. Through the adoption of these measures, Kenya can progress towards more peaceful and democratic elections.

7.3.1 Essence of Kenya's Electoral Management System and its influence on Post-Election Violence.

The study research finding recommends that the current divisive plurality electoral management system be fixed by investigating alternative options such as proportional representation, two-round voting for the first and second-place presidential candidates, and mixed member representation models as they are more inclusive and produce fair representation. This is based on the study findings and conclusions drawn from the first study objective.

The goal of these alternate voting systems is to reduce vote waste by making practically all votes count toward influencing the outcome. A system like this is credited with reducing electoral disparity and raising voter turnout. The study suggests that, in order to increase transparency for future elections and to increase Kenyans' confidence in the elections, the IEBC should also increase the transparency of its decisions and processes through coordinated stakeholder engagement, the participation of observers, and effective communications. To keep the public informed of its choices and votes, the commission should conduct itself in an open manner, have public meetings, and publish and distribute meeting minutes. Every significant choice, including how to resolve disputes, ought to be disclosed.

The IEBC should create two separate results pathways, one paper-based and the other electronic, in order to allay concerns about the transparency and integrity of the tabulation process that were voiced during the general elections in 2013, 2017 and 2022. To promote transparency and accountability in the tabular process, it is crucial to give stakeholders and independent observers the capacity to compare the intermediate results of the electronic results path with the paper-based results path at key points in the process.

Additionally, the IEBC needs to distinguish between the county, parliamentary, and presidential elections. As a result, there will be fewer votes for the electoral commission to count. Since the burden will be reduced and the costs associated with the voting process will decrease, this will guarantee efficiency.

7.3.2 Causes and Consequences of Post-Election Violence in Kenya

Based on the research findings, specific policy recommendations are proposed to mitigate the association between the electoral management system and post-election violence in Kenya. Firstly, electoral reforms are vital. It is imperative to bolster transparency and credibility throughout the electoral process by promptly publishing detailed election results that are easily verifiable. Additionally, strengthening dispute resolution mechanisms through the swift and impartial handling of election-related disputes by independent tribunals or courts is essential. Moreover, promoting inclusivity in electoral management bodies to ensure representation from diverse backgrounds fosters trust. Voter education should be prioritized to enlighten voters about their rights, the electoral process, and the significance of peaceful participation. Lastly, enforcing strict codes of conduct for politicians, parties, and media during elections to discourage hate speech and incitement is crucial. Political dialogue and mediation are also instrumental. Encouraging dialogue among political leaders to facilitate discussions on electoral reforms, power-sharing, and conflict prevention is imperative. Furthermore, mediation efforts can help resolve disputes

before they escalate into violence. International support is pivotal. Collaboration with international partners such as the United Nations and regional organizations to seek technical assistance for electoral reforms is crucial.

Additionally, the presence of international election observers can elevate credibility and serve as a deterrent to violence. Lastly, long-term peacebuilding efforts are essential. Addressing underlying social divisions beyond elections through the promotion of inter-community dialogue, reconciliation, and historical justice is crucial. Furthermore, investments in education, economic opportunities, and infrastructure are imperative to reduce grievances. It is imperative to implement these recommendations within the specific context of Kenya and continuously evaluate their effectiveness. Through the adoption of these measures, Kenya can progress towards more peaceful and democratic elections.

By implementing these recommendations, Kenya can work towards building a more resilient electoral system and fostering a culture of peaceful democratic transition. It is imperative that the stakeholders across government, civil society and the international community collaborate to address the root cause of post-election violence and safeguarding Kenya's democratic future.

Political parties should create a zero-tolerance policy for hate speech, intimidation, and violence and hold party members and supporters accountable for breaching the policy, according to the research study's recommendations, which are based on the results and conclusions of the study's second aim. To address the gaps and inconsistencies found by stakeholders, civil society organizations, and the election commission between 2017 and 2022 well before the 2027 election cycle, a thorough review of the electoral legal

framework should be carried out, including for party primaries and electoral dispute resolution. For increased legal certainty and to prevent future pointless litigation, this consultative process should be inclusive and begin right away, far before the next election cycle. A single comprehensive electoral code would benefit the law as a whole.

The Supreme Court currently has 14 days to decide on appeals of presidential election results; Parliament should think about expanding that time limit to at least 30 days. This would provide enough time to implement a recount if the court decides it's required, as well as allow for a complete assessment of all the problems. The ability of civil society organizations to monitor and evaluate the voting process should be improved, not constrained. These organizations should be able to watch and publicly remark on the entire electoral process without unnecessary restrictions thanks to the legal framework. They should continue to be important vigilance groups involved in discussions concerning election changes.

Additionally, it is advised that the KPMG audit's findings about defects in the voter registration be corrected, and all other recommendations should be put into practice in accordance with the Kenya Electoral Act. In order to give enough time to address any issues that are found and to allow for voter registry verification, an audit of the voter register should also be carried out at least a year before general elections.

Every organization involved in the electoral process should set up stakeholder engagement methods to encourage openness and guarantee the objectivity of the various participants. In order to assure them of fairness in the resolution of electoral disputes and to include them in addressing the issues highlighted about the handling of earlier election disputes, the judiciary should also engage strategically with electoral stakeholders. On both conventional and digital media, the media should promote nuanced and conflict-sensitive reporting of electoral actions and events.

Additionally, the National Police Service should create an election readiness plan outlining steps to take in the event of electoral violence, including the systematic and strategic placement of officers in high-crime areas to deter violence and ensure quick responses to distress calls. To reassure them about police readiness and to allay their fears about police neutrality, the National Police Service should further build a structure for talks with important political parties.

To effectively investigate the various reported and unreported crimes and offenses linked to elections, it is essential that the investigative capabilities of key agencies such as the Directorate of Criminal Investigations (DCI), the Ethics and Anti-Corruption Commission (EACC), the National Cohesion and Integration Commission (NCIC), and the Independent Electoral and Boundaries Commission (IEBC) are significantly enhanced. Likewise, the Office of the Director of Public Prosecutions and the Judiciary must prioritize and spearhead the improvement of mechanisms for prosecuting and penalizing electoral offenses. This would encompass actions taken from the point of arrest to evidence gathering, through to prosecution, and the final sentencing process.

To counteract the historically low conviction rates, the jurisprudence surrounding hate speech and hate crimes must be expanded through comprehensive administrative policies, legislative reform, and judicial precedents. Additionally, the IEBC should focus on identifying offenders of electoral laws irrespective of their societal status or responsibilities. Citizens, under their Constitutional rights and obligations toward public participation in good governance, must take a proactive role in enforcing a zero-tolerance stance on election-related corruption. As a strategic measure to curb electoral malpractices such as vote-buying during campaigns, the IEBC should impose strict regulations on campaign financing and ensure its stringent enforcement. Creating a registry of individuals

who violate these regulations and mandating that they publicly justify their actions could serve as an effective deterrent.

It is imperative for Parliament and County Assemblies to take the initiative to pass legislation that enforces stricter penalties for electoral fraud. Such legislative measures could potentially disqualify individuals found guilty of electoral offenses from holding or vying for public office for a predetermined period. The IEBC, in conjunction with the National Police Service, National Intelligence Service, NCIC, and the National Crime Research Centre (NCRC), should prioritize proactive mapping and monitoring of electoral crimes and offenses throughout each election cycle. This would involve an in-depth analysis of electoral risks, potential types of crimes and offenses, high-risk areas, and likely offenders, thereby informing the development of targeted policies and intervention strategies aimed at prevention.

The report also underscores the importance of the IEBC enforcing the existing electoral code of conduct. This enforcement would ensure accountability among political parties and candidates, fostering a political environment characterized by healthy, inclusive, and non-violent competition. Furthermore, the National Government must ensure that all individuals responsible for acts of political violence, including those occurring during party primaries, are held accountable through arrests and subsequent legal proceedings. To fulfill their mandate of promoting peace pre-, during, and post-election, institutions within the national peace infrastructure, such as the NCIC and County Peace Committees, should adopt proactive measures and collaborate closely with stakeholders including county governments, civil society, and religious organizations.

The National Council for the Administration of Justice's (NCAJ) state and non-state actors should work collaboratively to establish both national and local legislative processes

aimed at initiating bills and other legislative amendments that review and reform the country's electoral practices. The IEBC must prioritize the development of reliable electronic systems for voting, voter registration, and the secure transmission of results to ensure the integrity and transparency of the electoral process.

Expanding the platforms where the significance of conducting free, fair, transparent, and non-violent elections can be communicated is crucial. These discussions should engage politicians, their supporters, party agents, youth, voters, and the wider public. To optimize resources and avoid redundancy, a collaborative approach between public and private entities in planning and funding civic education and sensitization forums for targeted audiences is recommended. In combating ethnic hostilities, tribalism, and clan conflicts, the organization of interethnic and interclan programs—including exchange initiatives—should be encouraged and adequately supported, with the NCIC taking the lead in these efforts.

Economic initiatives geared toward poverty reduction and youth empowerment, such as the Youth Empowerment Program, commonly known as "Kazi Kwa Vijana," are essential in reducing crime, particularly among young people. This would necessitate creating employment opportunities and other economic avenues in both the formal and informal sectors. To minimize electoral offenses rooted in resource disparity and competition—issues highlighted within the Vision 2030 framework—the government must prioritize equitable resource distribution across all regions.

The report identifies illiteracy as a factor influencing election-related actions and crimes. Consequently, the Ministry of Education should implement measures to make formal education accessible and affordable to the majority of the population. This could be achieved through literacy initiatives and programs like free or subsidized education, in

partnership with relevant state and non-state organizations, such as the Elimu Yetu Coalition (EYC). It is also vital for the government to continue supporting civil society and citizen movements by providing them with platforms to participate fully in voter education, election monitoring, and the surveillance of electoral crimes and offenses.

The IEBC should innovate additional methods to discourage electoral offenses. Potential strategies could include collaborating with the National Authority for the Campaign Against Alcohol and Drug Abuse to limit alcohol consumption near campaign areas and on election day; facilitating orderly political party nominations; and fostering dialogue to forge peace agreements between rival candidates and political parties, reducing the likelihood of volatile election situations escalating into crimes and offenses. Election personnel without security training, such as teachers who typically serve as election officials, should undergo specialized training in election crime prevention.

Security agencies must undertake efforts to neutralize organized criminal gangs operating within the country by, among other strategies, dismantling their organizational structures, interrupting their financial networks, and cutting off their funding sources. Adequate financial and infrastructural support should be allocated to the National Crime Research Centre to enable it to continue conducting thorough research on crime, which in turn will inform policies aimed at ensuring crime-free elections in Kenya.

Several crucial measures need to be taken to control election crime at various election stages. At the voter registration phase, efforts should include public education on the significance of voter registration, maintaining peace, and fostering democratic values; raising awareness of the risks associated with electoral crimes; recruiting and training competent voter registration officials to prevent malpractices; deploying an efficient electronic voter registration system; involving crime investigators for early detection of offences; and allowing ample time for registration.

During political party nominations, essential actions would include reaching a consensus within parties on the timing and methods of nominations, involving government electoral bodies to supervise nominations, ensuring adequate security during nominations, empowering individuals to select leaders of their choice, and conducting civic education on elections, democracy, and peace.

During the campaign period, campaigners and party agents must be educated on refraining from maligning opponents; encourage politicians to conduct transparent campaigns that promote democratic principles, peace, and national unity; enhance security and intelligence measures; impose stringent penalties for election offences committed during campaigns; and implement strict policies to eliminate voter bribery.

On election day and during the announcement of results, crucial measures include ensuring sufficient security, announcing results in a timely manner, conducting the voting and results announcement professionally and transparently, and undertaking advocacy initiatives to maintain integrity among all stakeholders involved in the electoral process.

7.3.3 Challenges and Opportunities by Electoral Management Body in Kenya Faces in Managing Elections.

Drawing from the findings and insights obtained from the third objective of this study, there is a strong recommendation to address the financial limitations that impact the Independent Electoral and Boundaries Commission (IEBC). This study suggests a constitutional amendment comparable to Article 173, advocating for establishing a dedicated IEBC Fund to guarantee sufficient and stable funding for the Commission. Such funding would enable the IEBC to properly carry out electoral processes independent from the influence of external bodies or government officials. The IEBC, as stipulated by law, is structured to operate without undue influence from executive powers and other electoral

players. The proposed fund must be enacted as outlined to secure the commission's functional autonomy.

Achieving true independence for the IEBC requires clear, unambiguous guidelines stating that the commission should not be subjected to external directives from individuals or institutions. Additionally, it is crucial to safeguard the commissioners from unjust dismissal unless in cases of misconduct or incapacity. The method of appointing electoral commissioners should be inclusive, employing a more representative and transparent appointment process. Furthermore, there must be clear and specific criteria for commission members' qualifications to uphold the commissioners' integrity and impartiality. The commissioners' roles in vote tallying, result verification, declaration, and auditing of presidential election outcomes must also be well-defined to prevent operational dysfunctions like those observed during the announcement of the 2022 presidential results. It is also imperative that the government provides complete protection for the commissioners so that they can perform their duties without fear of harassment or threats. Such protection should extend to their families to further ensure their independence. For effective election administration, IEBC staff training should be standardized, with sessions scheduled well in advance to incorporate additional training and capacity-building programs where necessary. Staff should ideally be recruited earlier in the election cycle to provide ample time for thorough training that ensures a unified understanding of electoral laws and procedures.

This study also emphasizes the need for the IEBC to enhance and adequately fund voter education initiatives. Evaluating and revising voter education programs before each election is recommended to identify and address improvement areas. Voter education should commence long before the election date, ensuring it is consistent and accessible across all regions. The materials used in voter education should be available in local

languages, catering to diverse communities and incorporating special-interest groups. The content of voter education should include information on the roles and duties of county- and local-level elected officials, the process of voter registration, and a clear definition of hate speech along with associated penalties. Following the election, the IEBC should conduct a statistical audit of digital election results as a final verification measure. This audit would support the accuracy of the election outcomes and reinforce transparency and accountability within the electoral process.

These recommendations are designed to address challenges and seize opportunities to foster electoral stability and harmony in Kenya. To continuously advance the integrity of electoral systems, ongoing research and evaluations of electoral processes are essential. Kenya's electoral management body must take significant actions to enhance transparency and accountability, thereby building public trust and confidence. Strengthened regulations should guard against political intervention and guarantee neutrality in election administration. Moreover, considerable investments in comprehensive voter education programs are needed to promote awareness and boost electoral participation. By integrating modern technological solutions, the election process can be streamlined, enhancing both efficiency and security. Collaborating with international organizations to gain support and expertise would also contribute greatly to the advancement of electoral practices in Kenya.

7.4 Suggestions for Further Research

The overarching objective of this study was to analyze the connection between the electoral system and incidents of post-election violence in Kenya from 1963 onward. However, the study encountered a primary limitation in that it could not generalize the occurrences of post-election violence to factors other than the electoral system. To

overcome this limitation, it is recommended that future research expand the scope of analysis, examining post-election violence in Kenya from 1963 to present in relation to additional influential factors. Such factors may include tribalism, the overall macroeconomic conditions, and the impact of media roles.

Further comprehensive research is also necessary to cover counties and sub-counties that were not included in this study. Targeted research focused on evaluating the capacities and effectiveness of institutions accountable for political elections in preventing and addressing election-related crimes and offenses in Kenya would be valuable. A dedicated study examining the contributions of private sector entities and civil society organizations in curbing election crimes and offenses could offer critical insights for shaping policy and program frameworks concerning the management of election crimes and offenses within Kenya.

7.5 Chapter Summary

This chapter has presented summary of findings in regard to essence of Kenya's electoral management system, causes and consequences of post-election violence in Kenya, challenges faced by electoral management body in managing elections, conclusions on study findings, overall conclusion, recommendations drawn from study objectives and suggestions for further research.

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APPENDICES

Kenya Election History 1963 -2022

1963: Pre-Independence Elections

1963: These elections represented the final electoral process before Kenya's independence and were dominated by two primary political parties: KANU and KADU. KANU won 66 seats out of 112 in the National Assembly and 19 out of 38 in the Senate. Voter turnout was significantly low in the North Eastern Province, and reports indicated violence in various regions, resulting in four deaths in Isiolo. Tear gas was utilized in Nyanza and Nakuru, while confrontations occurred between KANU and KADU supporters in Machakos, Mombasa, Nairobi, and Kitale.

1966: The Little General Elections

These elections aimed to reduce the influence of Vice President Oginga Odinga, as President Jomo Kenyatta perceived Odinga's political power as a threat. Kenyatta, in collaboration with Tom Mboya, implemented changes that undermined Odinga's position. Consequently, Odinga left KANU to form the Kenya People's Union (KPU). To deter defections, KANU introduced a constitutional amendment requiring any MP who left their party to seek re-election, resulting in numerous by-elections, referred to as the Little Elections, in 1969. KANU emerged victorious in 21 of the 28 contested National Assembly seats, while KPU won 7. In the Senate, KANU secured 8 out of 10 contested seats, with KPU winning 2. The election campaign was plagued by undemocratic practices, including a media blackout by the national broadcaster VOK, harassment of opposition supporters, and isolated instances of violence.

1969: The First Post-Independence Elections

Initially scheduled for 1968, these elections were postponed due to a constitutional amendment in 1966 that abolished the Senate and extended the parliamentary term by one year. Further constitutional changes centralized more power within KANU. All KPU candidates faced disqualification on technical grounds. The assassination of Tom Mboya in July 1969 incited violence in Nairobi, Nakuru, and Homa Bay, culminating in protests in Kisumu where the presidential convoy was attacked. On October 30, 1969, the KPU was banned, effectively establishing Kenya as a de facto one-party state, with sporadic violence occurring in various local constituencies.

1974: The Second Post-Independence Elections

Set against a backdrop of a struggling economy, these elections were characterized by KANU remaining the sole political party. Exclusionary practices prevailed, as only KANU life members were eligible for office. This election marked the introduction of a secret ballot for the first time, along with the lowering of the voting age from 21 to 18. In previous elections, presiding officers had supervised the voting process.

1979: The Third Post-Independence Elections

Conducted after the death of founding president Kenyatta, Vice President Daniel Arap Moi assumed the presidency. The elections were held under undemocratic conditions, as former KPU members were labeled security threats, leading Moi to publicly state that they would be barred from participation, while he sought to position his allies in prominent government roles.

1983: The Fourth Post-Independence Elections

Continuing the trend of consolidating power, President Moi utilized these elections to strengthen his position following an attempted coup in August 1982. He prohibited all ethnically-based organizations and dissolved civil society groups, amending the constitution to formally create a single-party state, with KANU as the only recognized party. Moi also orchestrated the removal of long-time Minister and former Attorney General, Mr. Njonjo. Individuals such as Oginga Odinga, George Anyona, and former KPU members were denied permission to run within KANU. The elections again displayed undemocratic practices, with candidates required to demonstrate loyalty to President Moi, who was the sole presidential candidate for KANU.

1988: The Fifth Post-Independence Elections

These elections marked the height of Moi's consolidation of power. Local opposition faced significant weakening, and constitutional amendments facilitated greater presidential control and manipulation of the legal system. A new voting system, Mlolongo, was introduced, requiring voters to form separate queues for each candidate based on their preferences. Allegations of rigging, voter bribery, and intimidation were widespread.

1992: The Sixth Post-Independence Elections

The introduction of queue voting, alongside the 70% rule and allegations of rigging from the 1988 elections, led to growing dissatisfaction with the one-party system. In early 1990, public frustration escalated, culminating in the Saba Saba uprising in July, which erupted following anti-Moi forces' attempts to organize a pro-democracy rally, resulting in numerous fatalities.

Both domestic and international pressures forced Moi to permit KANU delegates to amend the constitution in 1991, reinstating the right to form alternative political parties, thus paving the way for multi-party elections in December 1992. However, the government made minimal reforms to facilitate these elections, resulting in unprecedented violence and a high death toll. The Electoral Commission, perceived as biased towards Moi, faced administrative issues and accusations of incompetence, which affected voter registration and contributed to violence, rigging, and harassment during the elections, particularly against opposition candidates. Moi received 36.6% of the vote in Kenya's first contested presidential elections, which included seven other candidates, failing to secure 25% of votes in central, Nairobi, and Nyanza provinces. KANU's victory was attributed to superior organization, media control, and undemocratic practices.

1997: The Seventh Post-Independence Elections

Kenya's second multi-party general elections since independence took place in December 1997 amidst a worsening economic climate. Under pressure from both the opposition and the international community, Moi allowed opposition parties to appoint members to the Electoral Commission through the Inter-Parties Parliamentary Group (IPPG) to address criticisms concerning the commission's alignment with KANU. Moreover, Moi created 24 new districts to bolster his support against the opposition. Moi won the election with 40% of the national vote, achieving at least 25% in five out of eight provinces, though this total was lower than the combined opposition votes, which reached 59.4%.

2002: The Eighth Post-Independence Elections

Due to constitutional reforms, Moi was ineligible to run for election in 2002. He endorsed Uhuru Kenyatta as KANU's candidate over Raila Odinga, who represented the National Alliance Party of Kenya (NAK). As the campaign progressed, Raila and his supporters aligned with Kibaki to create the National Rainbow Coalition (NARC) through a memorandum of understanding (MOU). Mwai Kibaki won decisively, receiving nearly double the votes of Uhuru Kenyatta, effectively concluding KANU's nearly 40-year rule.

2007: The Ninth Post-Independence Elections

The elections on December 27, 2007, became the most violent in Kenya's history, leading to over 1,000 deaths and 600,000 displacements. The Electoral Commission of Kenya declared President Mwai Kibaki the victor over Raila Odinga, but the election results were widely viewed as flawed, raising doubts about the credibility of the vote counting process from both local and international observers.

2013: The Tenth Post-Independence Elections

Held on March 4, 2013, these elections resulted in Uhuru Kenyatta of the TNA being declared the winner, securing 6,173,433 votes (50.07%) out of 12,330,028 valid ballots, surpassing the 50% plus one threshold required to avoid a runoff. Raila Odinga followed with 5,340,546 votes (43.31%). The results faced legal challenges, but the Supreme Court upheld Kenyatta's

victory. Protests erupted in Kisumu, resulting in clashes with police that led to two fatalities, along with sporadic violence in Nairobi slums.

2017: The Eleventh Post-Independence Elections

On August 8, 2017, the eleventh post-independence elections were conducted, featuring incumbent Uhuru Kenyatta from the Jubilee Party against Raila Odinga from the NASA Coalition. Kenyatta won with 54% of the votes cast. However, the opposition claimed significant irregularities, asserting that Odinga was denied victory. Following the opposition's petition, the Supreme Court annulled the presidential election due to transparency issues, mandating fresh elections within ninety days. The NASA coalition chose not to participate in the new elections, citing a lack of reforms from the Independent Electoral and Boundaries Commission (IEBC). After the announcement of Kenyatta's victory in the rerun, widespread protests erupted across the nation, resulting in police violence that led to 24 deaths, according to the Kenya National Human Rights Commission (KNHCR) report.

2022: The Twelfth post-independence elections took place with Dr. William Ruto representing the UDA party and Hon. Raila Odinga from the Azimio La Umoja One Kenya Alliance as the main candidates. Dr. Ruto secured victory with a total of 7,176,141 votes, amounting to 50.9%, while Hon. Odinga received 6,942,930 votes, or 48.8% of the overall votes cast. The official announcement declaring Dr. Ruto as the winner was made on August 15, 2022. Following the announcement, Mr. Odinga contested the election results in the Supreme Court of Kenya, arguing that the IEBC

Chair had unilaterally compiled the presidential results without the participation of other commissioners for verification. The Supreme Court rejected Mr. Odinga's claims, leading to Dr. Ruto's inauguration as the Fifth President of Kenya. Meanwhile, the opposition, spearheaded by Hon. Odinga, continues to assert that Ruto's administration is illegitimate, with protests related to the 2022 elections still taking place. Reports indicate that at least 23 individuals have lost their lives in these protests, while significant property damage has occurred, with businesses suffering losses estimated at Kshs. 3 billion and disruptions to transport in several counties (Daily Nation, July 13, 2023).

Source: National Elections Data Book by the Institute for Education in Democracy and references from Elkins (1995), Kagss (2009), Mitullah & Mboya (2002), Mutahi (2002), Owiti (2005), and Wanjala (2002), IEBC, Kenya.

Appendix 1: A Letter of Introduction

My name is Charles Otieno. Ochieng and I am a PhD candidate at Masinde Muliro University of Science and Technology (MMUST). This questionnaire was created to aid in a study looking into the impact of Kenya's electoral system in post-election aggression. You have been identified as a critical player in this field. Your input in this study will be most helpful and invaluable. I am therefore requesting you to fill the attached questionnaire as honestly and precisely as possible.

The information given will be handled with confidentiality and will only be used for academic purposes.

Yours faithfully,

Charles Otieno P. Ochieng.

Appendix 2: Questionnaire for Kenyan Voters

Date:

Location:

Time:

Name (Optional):

Instructions

- *There is no wrong answer; each response will be treated as a correct one. Your opinion is what is required in this study.*
- *Do not think too long about each question. It could take you around 10 minutes to complete.*

Part A: Demographic Information

1. What is your gender?

Male Female

2. County

Nairobi Kisumu Uasin Gishu
Nakuru Mombasa

3. Age bracket?

18-30 years 31-40 years
41-50 years above 50 years

4. Level of education

Primary Secondary
Tertiary college University
No formal education

5. Have you ever voted in a general election in Kenya?

Yes No

If yes, how many election cycles have you voted in?

1 cycle 2 cycles 3 cycles
4 cycles 5 cycles Above 5

Part B: Essence of Kenya’s electoral management system

1. Please indicate your level of agreement with the following statements in relation to the essence of Kenya’s electoral management system, using the scale: 1=Strongly Disagree, 2=Disagree, 3=Neutral, 4=Agree and 5=Strongly Agree.

Kenya’s Electoral System:	1	2	3	4	5
Upholds the freedom of citizens to exercise their right to vote					
Promotes fair representation					
Promotes equality of vote					
Supports free and fair elections					
Establishes mechanisms for settling of electoral disputes					
Determines how elections and referendums are conducted by the electoral management body					
Establishes eligibility criteria for voters					
Establishes eligibility criteria for election candidates					
Establishes the electoral formula					
Establishes how election campaigns are conducted					

2. What do you think about the nature of electoral system in Kenya?

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3. In your opinion, is the country’s electoral system effective in upholding universal suffrage?

.....

4. Does the country’s electoral system guarantee free and fair elections?

.....

5. Does the country’s electoral system guarantee fair representation and equality of vote?

.....

6. Is the country’s electoral system effective in addressing electoral disputes?

.....

7. How effective is Kenya’s electoral system in terms of how elections and referendums are conducted in the country?

8. How effective is the country’s electoral system in establishing the eligibility criteria for voters and election candidates?

9. How effective is the country’s electoral system in managing election campaigns?

10. The right to vote is fundamental in democracy. Do you believe that the electoral system in Kenya realizes or achieves the fundamental principles or goals of representative democracy as envisaged in Kenya Constitution 2010 in so far as:

	Yes	No
Popular sovereignty		
Government policies reflect the wishes of the people		
Government leaders are elected		
Elections are free and fair		
People participate in the political process		
High quality information is available		
The majority rules		

11. Do you believe that Kenya’s electoral system realizes the fundamental principle of democracy as envisaged in Kenya’s constitution 2010 in so far as political equality is concerned?

Yes No

12. Do you believe that Kenya’s electoral system realizes the fundamental principle of democracy as envisaged in Kenya’s constitution 2010 in so far as political liberty is concerned?

Yes No

Part C: Causes and Consequences of Post-Election Violence in Kenya

1. Please indicate your level of agreement with the following statements in relation to the causes and consequences of post-election violence in Kenya, dating back in 1963, using the scale: 1=Strongly Disagree, 2=Disagree, 3=Neutral, 4=Agree and 5=Strongly Agree.

Causes of post-election violence in Kenya:	1	2	3	4	5
Disputed election outcomes					
Poor electoral conflict resolution mechanisms					
“Winner-takes-it-all” election system					
Lack of transparency in vote tallying and counting					

Discriminatory enforcement of electoral laws					
Perceived bias of the electoral management body					
Voter incitement by politicians					
Un deterrent laws on election violence perpetrators					
Impunity for inciteful politicians					
Perceived rigging by the electoral management body					
Consequences of post-election violence in Kenya include:					
Casualties					
Internally displaced persons					
Refugees					
Sexual violence victims					
Destruction of private and public properties					
Collapse of businesses and loss of revenue					
Unemployment					
Poverty					
Emotional and psychological distress					
Economic instability					

2. What do you think are the causes of post-election violence in Kenya since 1963?
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3. In your opinion, can post-election violence in Kenya be in any way attributed to the country's electoral system? Please elaborate
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4. What aspects of the country's electoral system may be the cause of post-election violence?
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5. What are some of the consequences of post-election violence in Kenya?
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6. In your opinion, how effective is the IEBC in conducting free and fair elections in Kenya?
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Part D: Challenges and Opportunities in Organizing, Conducting and Managing Elections

4. Please indicate your level of agreement with the following statements in relation to the challenges and opportunities the electoral management body in Kenya faces in relation to organizing, conducting and managing elections to achieve electoral peace in Kenya, using the scale: 1=Strongly Disagree, 2=Disagree, 3=Neutral, 4=Agree and 5=Strongly Agree.

Challenges in organizing, conducting and managing elections in Kenya include:	1	2	3	4	5
Lack of sufficient institutional independence					
Lack of financial independence					
Tenure insecurity for commissioners					
Media s bias and misreporting					
Opinion polls creating voter expectations					
Vote-buying and selling					
Voter apathy and loss of confidence in the electoral body					
Loss of institutional memory					
Voter intimidation					
Understaffing					
Opportunities in organizing, conducting and managing elections in Kenya include:					
Facilitation of objective election observation locally and internationally					
Legislation for more effective laws on election management					
Benchmarking for best practices					
Experiential learning from past mistakes					
Legislation for financial independence					
Use of technology to complement manual vote tallying and transition of results					
Promotion of civic and voter’s education					
Political will to reform electoral process					
Good will by the people and the development partners					
Enhancement of regional and stakeholder engagement and collaboration					

7. In your opinion, what are some of the challenges the IEBC faces in organizing, conducting and managing elections in Kenya?

.....

8. What challenges do voters pose to the IEBC's effectiveness in organizing, conducting and managing elections in Kenya?

.....

9. What are the opportunities available to the electoral management in organizing, conducting and managing elections in Kenya?

.....

10. What opportunities do voters present to the IEBC's effectiveness in organizing, conducting and managing elections in Kenya?

.....

11. Do you believe that the IEBC is capable of conducting elections in Kenya to achieve?

	Yes	No
Fair representation at the presidential level		
Fair representation at all other seats		
Transparency in the electoral process		

26. Do you consider or accept the IEBC as fairly legitimate?

Yes No

Appendix 3: Interview Schedule for Politicians

Date:

Location:

Time:

Name (Optional):

Instructions

- *There is no wrong answer; each response will be treated as a correct one. Your opinion is what is required in this study.*
- *Do not think too long about each question. It could take you around 10 minutes to complete.*

Part A: Demographic Information

1. What is your gender?

Male Female

2. County

Nairobi Kisumu Uasin Gishu
Nakuru Mombasa

3. Age bracket?

18-30 years 31-40 years
41-50 years above 50 years

4. Level of education

Primary Secondary
Tertiary college University
No formal education

5. Have you ever voted in a general election in Kenya?

Yes No

6. If yes, how many election cycles have you voted in?

1 cycle 2 cycles 3 cycles
4 cycles 5 cycles Above 5

Part A: Essence of Kenya's electoral management system

1. What is your opinion about Kenya's electoral system?

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2. Does the country's electoral system guarantee free and fair elections?

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3. Do you have faith with the IEBC to conduct a free and fair election process?

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4. Does the country's electoral system guarantee fair representation and equality of vote?

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5. Is the country's electoral system effective in addressing electoral disputes?

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6. What is the role of politicians in the effectiveness of Kenya's electoral system?

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Part B: Causes and Consequences of Post-Election Violence in Kenya

1. What do you think are the causes of post-election violence in Kenya since 1963?
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2. In your opinion, can post-election violence in Kenya be in any way attributed to the country's electoral system? Please elaborate
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3. What aspects of the country's electoral system may be the cause of post-election violence?
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4. In your experience, do politicians contribute to post-election violence in Kenya? Please elaborate
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5. Are elections the real cause of the violence or do you feel that there is an underlying issue to the post-election violence?
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6. What can you do as a legislator, to prevent or lessen post-election instability in the future?
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7. Should we adapt a new electoral system to reduce or prevent violence in future elections?
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Part C: Challenges and Opportunities in Organizing, Conducting and Managing Elections

1. What challenges do politicians pose to the IEBC in organizing, conducting and managing elections in Kenya?

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2. What are the opportunities available to the electoral management in organizing, conducting and managing elections in Kenya?

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3. What opportunities do politicians present to the IEBC's effectiveness in organizing, conducting and managing elections in Kenya?

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Appendix 4: Interview Schedule for IEBC Officials

Date:

Location:

Time:

Name (Optional):

Instructions

- *There is no wrong answer; each response will be treated as a correct one. Your opinion is what is required in this study.*
- *Do not think too long about each question. It could take you around 10 minutes to complete.*

Part A: Demographic Information

1. What is your gender?

Male Female

2. County

Nairobi Kisumu Uasin Gishu
Nakuru Mombasa

3. Age bracket?

18-30 years 31-40 years
41-50 years above 50 years

4. Level of education

Primary Secondary
Tertiary college University
No formal education

5. Have you ever voted in a general election in Kenya?

Yes No

6. If yes, how many election cycles have you voted in?

1 cycle 2 cycles 3 cycles
4 cycles 5 cycles Above 5

Part A: Essence of Kenya's electoral management system

1. What is your opinion about Kenya's electoral system?

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 2. What is the place of IEBC in Kenya’s electoral system?

 3. Does the country’s electoral system guarantee free and fair elections?

 4. Do you feel that your organization conducts free, fair, transparent and credible elections?

 5. What is your constitutional role in addressing electoral disputes?

 6. What is the role of IEBC in the effectiveness of Kenya’s electoral system?

 7. Do voters have faith with the IEBC to conduct a free and fair election process?

 8. Do you feel that the Supreme Court’s annulment of the 2017 elections exposed your organization as not being fully prepared to conduct presidential elections?

 9. What improvements have you since made?

Part B: Causes and Consequences of Post-Election Violence in Kenya

1. What do you think are the causes of post-election violence in Kenya since 1963?

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2. In your opinion, can post-election violence in Kenya be in any way attributed to the country's electoral system? Please elaborate

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3. What aspects of the country's electoral system may be the cause of post-election violence?

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- 4' What can you do to increase the confidence and trust level of the Kenyan citizens in your ability to conduct free and fair elections?

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1. In your opinion, have electoral bodies such as the IEBC played any role in contributing to post-election violence in Kenya?

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2. What is your opinion on a section of politicians' and voters' accusation of IEBC as a perpetrator in election malpractices?

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3. Do politicians' and voters' perception of IEBC's election malpractices contribute to post-election violence in Kenya?

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4. In your experience, do politicians contribute to post-election violence in Kenya? Please elaborate

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5. Are elections the real cause of the violence or do you feel that there is an underlying issue to the post-election violence?

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6. Should we adapt a new electoral system to reduce or prevent violence in future elections?

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7. What is your role as the IEBC in the reduction of post-election violence in Kenya?

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Part C: Challenges and Opportunities in Organizing, Conducting and Managing Elections

1. In your experience, what are some of the challenges the IEBC faces in organizing, conducting and managing elections in Kenya?

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2. What challenges do politicians pose to the IEBC in organizing, conducting and managing elections in Kenya?

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3. What challenges do voters pose to the IEBC in organizing, conducting and managing elections in Kenya?

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4. What challenges does the government pose to the IEBC in organizing, conducting and managing elections in Kenya?

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5. What operational challenges does the IEBC face in organizing, conducting and managing elections in Kenya?

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6. What legal challenges does the IEBC face in organizing, conducting and managing elections in Kenya?

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7. What are the opportunities available to the electoral management in organizing, conducting and managing elections in Kenya?

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8. What measures have you undertaken to educate Kenyans on the BVR kits and electoral registration process?

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9. Have the KIEMS equipment, which were used by the IEBC in the 2017 elections effective in curbing electoral malpractices?

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Appendix 5: Interview Schedule for Political Analysts

Date:

Location:

Time.....

Name (Optional):

Instructions

- *There is no wrong answer; each response will be treated as a correct one. Your opinion is what is required in this study.*
- *Do not think too long about each question. It could take you around 10 minutes to complete.*

Part A: Demographic Information

1. What is your gender?

Male Female

2. County

Nairobi Kisumu Uasin Gishu
Nakuru Mombasa

3. Age bracket?

18-30 years 31-40 years
41-50 years above 50 years

4. Level of education

Primary Secondary
Tertiary college University
No formal education

5. Have you ever voted in a general election in Kenya?

Yes No

6. If yes, how many election cycles have you voted in?

1 cycle 2 cycles 3 cycles
4 cycles 5 cycles Above 5

Part B: Essence of Kenya's electoral management system and its influence on post-election violence

1. What is your opinion about Kenya's electoral system?

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2. What is the place of IEBC in Kenya's electoral system?
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 3. Does the country's electoral system guarantee free and fair elections?
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 4. Do you feel that your organization conducts free, fair, transparent and credible elections?
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 5. What is the role of IEBC in the effectiveness of Kenya's electoral system?
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 6. What is the role of politicians in the effectiveness of Kenya's electoral system?
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 7. Do voters have faith with the IEBC to conduct a free and fair election process?
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Part C: Causes and Consequences of Post-Election Violence in Kenya

1. What do you think are the causes of post-election violence in Kenya since 1963?

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2. In your opinion, can post-election violence in Kenya be in any way attributed to the country's electoral system? Please elaborate

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3. What aspects of the country's electoral system may be the cause of post-election violence?

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4. What can you do to increase the confidence and trust level of the Kenyan citizens in your ability to conduct free and fair elections?

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5. In your opinion, have electoral bodies such as the IEBC played any role in contributing to post-election violence in Kenya?

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6. In your opinion, do politicians contribute to post-election violence in Kenya? Please elaborate

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7. What is your opinion on a section of politicians' and voters' accusation of IEBC as a perpetrator in election malpractices?

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8. Do politicians' and voters' perception of IEBC's election malpractices contribute to post-election violence in Kenya?

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9. In your experience, do politicians contribute to post-election violence in Kenya? Please elaborate

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10. Are elections the real cause of the violence or do you feel that there is an underlying issue to the post-election violence?

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11. Should we adapt a new electoral system from such developed countries such as the USA or even Bosnia and Herzegovina to reduce or prevent violence in future elections?

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12. What is the role of the IEBC in the reduction of post-election violence in Kenya?

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13. What is the role of politicians in the reduction of post-election violence in Kenya?

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Part D: Challenges and Opportunities in Organizing, Conducting and Managing Elections

1. In your experience, what are some of the challenges the IEBC faces in organizing, conducting and managing elections in Kenya?

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2. What are the opportunities available to the electoral management in organizing, conducting and managing elections in Kenya?

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Appendix 6: Interview Schedule for Humanitarian Staff and Organizations

Date:
Location:
Time.....
Name (Optional):

Instructions

- *There is no wrong answer; each response will be treated as a correct one. Your opinion is what is required in this study.*
- *Do not think too long about each question. It could take you around 10 minutes to complete.*

Part A: Demographic Information

1. What is your gender?

Male Female

2. County

Nairobi Kisumu Uasin Gishu
Nakuru Mombasa

3. Age bracket?

18-30 years 31-40 years
41-50 years above 50 years

4. Level of education

Primary Secondary
Tertiary college University
No formal education

5. Have you ever voted in a general election in Kenya?

Yes No

6. If yes, how many election cycles have you voted in?

1 cycle 2 cycles 3 cycles
4 cycles 5 cycles Above 5

1. What has been the extent of humanitarian services your organization offers in the aftermath of post-election violence in Kenya?

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2. How do you prepare for post-election violence emergencies?

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3. Please describe a typical humanitarian scene in the event of post-election violence in Kenya

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4. What challenges have your organization experienced in your humanitarian efforts in the country in the aftermath of post-election violence in Kenya?

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5. In your experience, what are the likely electoral process triggers for post-election violence in Kenya, warranting humanitarian aid?

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Appendix 7: Interview Schedule for Observers

Date:

Location:

Time:

Name (Optional):

Instructions

- *There is no wrong answer; each response will be treated as a correct one. Your opinion is what is required in this study.*
- *Do not think too long about each question. It could take you around 10 minutes to complete.*

Part A: Demographic Information

1. What is your gender?

Male Female

2. County

Nairobi Kisumu Uasin Gishu
Nakuru Mombasa

3. Age bracket?

18-30 years 31-40 years
41-50 years above 50 years

4. Level of education

Primary Secondary
Tertiary college University
No formal education

5. Have you ever voted in a general election in Kenya?

Yes No

6. If yes, how many election cycles have you voted in?

1 cycle 2 cycles 3 cycles
4 cycles 5 cycles Above 5

Part A: Essence of Kenya's electoral management system and its influence on Post-Election Violence.

1. What is your opinion about Kenya's electoral system and its influence on post-election?
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2. What is the place of IEBC in Kenya's electoral system?
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3. Does the country's electoral system guarantee free and fair elections?
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4. Do you feel that your organization conducts free, fair, transparent and credible elections?
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5. What is the role of IEBC in the effectiveness of Kenya's electoral system?
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6. What is the role of politicians in the effectiveness of Kenya's electoral system?
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7. Do voters have faith with the IEBC to conduct a free and fair election process?
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Part C: Causes and Consequences of Post-Election Violence in Kenya

1. What do you think are the causes of post-election violence in Kenya since 1963?

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2. In your opinion, can post-election violence in Kenya be in any way attributed to the country's electoral system? Please elaborate

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3. What aspects of the country's electoral system may be the cause of post-election violence?

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4. What can you do to increase the confidence and trust level of the Kenyan citizens in your ability to conduct free and fair elections?

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5. In your opinion, have electoral bodies such as the IEBC played any role in contributing to post-election violence in Kenya?

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6. In your opinion, do politicians contribute to post-election violence in Kenya? Please elaborate

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7. What is your opinion on a section of politicians' and voters' accusation of IEBC as a perpetrator in election malpractices?

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8. Do politicians' and voters' perception of IEBC's election malpractices contribute to post-election violence in Kenya?

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9. In your experience, do politicians contribute to post-election violence in Kenya? Please elaborate

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10. Are elections the real cause of the violence or do you feel that there is an underlying issue to the post-election violence?

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11. Should we adapt a new electoral system from such developed countries such as the USA or even Bosnia and Herzegovina to reduce or prevent violence in future elections?

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12. What is the role of the IEBC in the reduction of post-election violence in Kenya?

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13. What is the role of politicians in the reduction of post-election violence in Kenya?

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Part D: Challenges and Opportunities in Organizing, Conducting and Managing Elections

1. In your experience, what are some of the challenges the IEBC faces in organizing, conducting and managing elections in Kenya?

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2. What are the opportunities available to the electoral management in organizing, conducting and managing elections in Kenya?

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Appendix 8: Interview Schedule for Security Personnel and Provincial Administration

Date:

Location:

Time:

Name (Optional):

Instructions

- *There is no wrong answer; each response will be treated as a correct one. Your opinion is what is required in this study.*
- *Do not think too long about each question. It could take you around 10 minutes to complete.*

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Part A: Demographic Information

1. What is your gender?

Male Female

2. County

Nairobi Kisumu Uasin Gishu
Nakuru Mombasa

3. Age bracket?

18-30 years 31-40 years
41-50 years above 50 years

4. Level of education

Primary Secondary
Tertiary college University
No formal education

5. Have you ever voted in a general election in Kenya?

Yes No

6. If yes, how many election cycles have you voted in?

1 cycle 2 cycles 3 cycles
4 cycles 5 cycles Above 5

Part A: Causes and Consequences of Post-Election Violence in Kenya

1. Please describe the trend of post-election violence in Kenya from a security standpoint?
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2. In your experience, what are the impacts of post-election violence in Kenya on national security?
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3. What has been the extent of security services the security personnel and provincial administration offers in the aftermath of post-election violence in Kenya?
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4. From a security standpoint, what do you think are the causes of post-election violence in Kenya since 1963?
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5. In your opinion, what aspects of the country's electoral system may be the cause of post-election violence in Kenya?
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6. In your opinion, do security personnel and provincial administration
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7. What is the role of security personnel and provincial administration in the reduction of post-election violence in Kenya?
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8. What is the role of police reforms in the reduction of post-election violence in Kenya?
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Part B: Challenges and Opportunities in Organizing, Conducting and Managing Elections.

1. What is the role of security personnel and provincial administration in management of elections in Kenya?

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2. What challenges do security personnel and provincial administration experience in managing elections in Kenya?

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3. What are the opportunities available to the security personnel and provincial administration to realize peace in the aftermath of post-election violence in Kenya?

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Appendix 9: Letter of Approval of Proposal by Directorate of Postgraduate Studies.



MASINDE MULIRO UNIVERSITY OF SCIENCE AND TECHNOLOGY (MMUST)

Tel: 056-30870
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Website: www.mmust.ac.ke

P.O Box 190
Kakamega – 50100
Kenya

Directorate of Postgraduate Studies

Ref: MMU/COR: 509099

24th August 2022

Charles Otieno P. Ochieng
CPC/H/200/2016
P.O. Box 190-50100
KAKAMEGA

Dear Mr. Ochieng,

RE: APPROVAL OF PROPOSAL

I am pleased to inform you that the Directorate of Postgraduate Studies has considered and approved your PhD proposal entitled: *"The Nexus between electoral System and Post-Election violence in Kenya since 1963"* and appointed the following as supervisors:



1. Prof. Chrispinous Iteyo - SDMHA - MMUST
2. Prof. Frank Matanga - SDMHA - MMUST

You are required to submit through your supervisor(s) progress reports every three months to the Director of Postgraduate Studies. Such reports should be copied to the following: Chairman, School of Disaster Management and Humanitarian Assistance Graduate Studies Committee and Chairman, Department of Peace and Conflicts Studies. Kindly adhere to research ethics consideration in conducting research.

It is the policy and regulations of the University that you observe a deadline of two years from the date of registration to complete your PhD thesis. Do not hesitate to consult this office in case of any problem encountered in the course of your work.





We wish you the best in your research and hope the study will make original contribution to knowledge.

Yours Sincerely,

Prof. Stephen O. Odebero, PhD, FIEEP
DIRECTOR, DIRECTORATE OF POSTGRADUATE STUDIES

APPENDIX 10: RESEARCH PERMIT

 <p>REPUBLIC OF KENYA National Commission for Science, Technology and Innovation</p>	 <p>NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION</p>
<p>Ref No: 474094</p>	<p>Date of Issue: 04/October/2022</p>
<p>RESEARCH LICENSE</p>	
	
<p>This is to Certify that Mr. Charles Ochieng of Masinde Muliro University of Science and Technology, has been licensed to conduct research in Kisumu, Mombasa, Nairobi, Nakuru, Uasin-Gishu on the topic: THE NEXUS BETWEEN ELECTORAL SYSTEM AND POST ELECTION VIOLENCE IN KENYA SINCE 1963 for the period ending : 04/October/2023.</p>	
<p>Licensee No: NACOSTI/P/22/20495</p>	
<p>Applicant Identification Number 474094</p>	
<p><i>Walter Ombui</i> Director General NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY & INNOVATION</p>	
<p>Verification QR Code</p> 	
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