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EXAMINATION OF EXTERNAL AND INTERNAL FACTORS INFLUENCING ELECTORAL VIOLENCE IN KENYA

BY

EDWARD E MURITHI

SUPERVISOR:

DR. PETERLINUS OUMA

A STUDY SUBMITTED IN PARTIAL FULFILMENT OF THE REQUIREMENT FOR THE AWARD OF A POST GRADUATE DIPLOMA IN STRATEGIC STUDIES

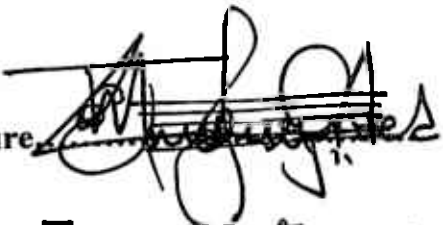### Nov, 2019

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DECLARATION

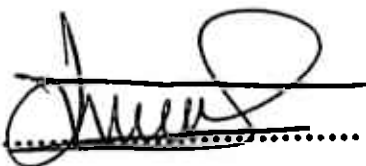This project is my original work and has not been presented for examination in any other University.

Signature................................... Date ...16.|11.|2019....

Name: EDOARS EMMANUEL MURITHI

Reg No: R47|13067|2018

This research project has been submitted for examination with my approval as the university supervisor.

Signature..................................... Date .27.|11|2019

Dr. ....Patricklinus Ouma Odoto

Supervisor

Institute of Diplomacy and International Studies

University of Nairobi

DEDICATION

This project is dedicated to my dear wife, Anntriza Nkirote whose encouragement and inspiration has brought me this far.

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This project was made possible by the assistance and support given to me in a variety of ways by various people. I appreciate and acknowledge all efforts and contribution rendered to me by all our lecturers at the Institute of Diplomacy and International Studies of the University of Nairobi for having taken me this far through the course. I'd like to sincerely thank my Supervisor, Dr. Peterlinus Ouma, for taking me through as well as for the directions he gave me for this research project.

ABSTRACT

Recent elections in various countries to the count of Afghanistan, Côte d'Ivoire, Egypt, Nigeria, Guatemala and Thailand have been marred by politically motivated violence and grave human rights abuses. Electoral violence is a commonplace in Africa. In the past few years just to mention the most recent cases electionmalpractices have caused violence in different countries such as Zimbabwe, Ivory Coast, Togo, Gabon and Kenya. Due to recurring election related violence and negative consequences, this study sought to examine internal and external factors influencing election violence specifically in Kenya. Majorly the study aim to: examine the internal factors leading to election violence in Kenya other than the malpractices that are experienced during the voting process and the announcement period too; investigate the external factors leading to election violence in Kenya and to make necessary recommendationson how to conduct credible and peaceful elections while mitigating any chances for violence. This study is based on the Greed – Grievance Theory. The proponents of greed grievance theories are Paul Collier and AnkeHoeffler. Collier and Hoeffler advance that this wars begin due to greedy attitude of individuals or a groups towards an insurgency against the authority.The research is based on a qualitative approach, based predominantlyon literature review using secondary and primary sources. Secondary information was attained from books, journals and theses. Literature on external and internal factors leading to election violence was scrutinized so as attain an actual framework of analysis. Primary data comprised of reports from government institutions and nongovernmental actors, including the National Cohesion and Integration Commission (NCIC), district peace committees (DPCs), and local organizations among others. The gathered data was analyzed using content analysis. The researcher found that negative ethnicity, economic inequalities, and institutional weaknesses, conflict memories and Marginalization play a major role in causing election violence. Party leaders and politicalelite have also been known to widen the gap between various ethnic groups and filling the gap with hatred with the famous phrase "Us versusthem" hence using it to incite one ethnic group agonist the other. The findings show the efforts to drag down the growing violence after every election is working but at a very minimal rate. This is with the emergence of report that the available electoral violence prevention programs can effectively cater for the situation Kenya should aim at transforming structural causes of election related violence, in reference to its bloody history, historical wrongs, injustices in various fields as well as its political powers nature as much as elections are concerned.

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ABBREVIATIONS AND ACRONYMS

DP	:	Democratic Party
DPC	:	District Peace Committee
EMB	:	Electoral Management Body
EOM	:	Election Observation Mission
EU	:	The European Union
FARC	:	Revolutionary Armed Forces of Colombia
FORD	:	Forum for the Restoration of Democracy
FPTP	:	First-Past-The post
GBV	:	Gender-based violence
GEMA	:	Gikuyu Embu Meru Association
HAK	:	Health Assistance Kenya
ICC	:	International Criminal Court
ICT	:	Information and Communication Technology
IDPs	:	internally displaced persons
IEBC	:	Independent Electoral and Boundaries Commission
IFES	:	International Federation of Electoral System's
IPK	:	Islamic Party of Kenya
KAMATUSA	:	Kalenjin Maasai Turkana Samburu Association
KANU	:	Kenya African National Union
KNCHR	:	Kenyan National Commission on Human Rights
LDP	:	Liberal Democratic Party
MSF	:	Multi-Sectoral Forum

NARC	:	The National Rainbow Coalition
NCIC	:	National Cohesion and Integration Commission
NDP	:	National Democratic Party
NGOs	:	Non-Governmental Organizations
NSC	:	National Steering Committee
ODM	:	Orange Democratic Movement
PNU	:	Party of National Unity
TV	:	Television
UN	:	The United Nations
UNDP	:	United Nations Development Program
UNO	:	Upazila Nirbahi Officer
VAWIE	:	Violence against Women in Elections

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CHAPTER ONE

Introduction

1.1 Background of the Study

In the contemporary world, the structure of democracy in whole is continuously gaining acceptability among the citizens than any other system associated to the government.[1] The mass conversion of various influential people including the politicians, political analysts among others has caused democratic ideals. Also, it has caused other states that were either autocratic or totalitarian embrace the fast raising democratic culture in the post-cold war is an unbeatable testimony to this.[2] One of the main reason as to why democratization process has an increased weave of recognition and acceptance amongst almost all countries is that it is an important aspect of progress in all known areas of development such as political stability, good governance, social change and also sustainable development. Evidence as per research made earlier show that states that embraced democracy earlier enjoy, in the western hemisphere, not only enjoy the highest standards of living in the world but also have the most stable social and political systems.

Kenya is amongst the first countries in Africa, which started embracing democratization of its governance in quest for accountability and legitimacy starting early 1990s.[3] These steps are geared towards improvement of economic performance and reduction of political violence.[4] Even though the shift from the autocratic regimes to democratic set up was not expected to be perfect, the initial execution of the process have witnessed considerable cases of violence. Several reasons have been given to the failure of delivering credible elections to include weak

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[1]Souaré, I. K. *Electoral Violence and Post-Electoral Arrangements in Africa.African Renaissance.* 2008. Volume 5 Issue 3 & 4

[2]Hesseling, G. *Election Observation and Democratization in Africa.* St. Martin's Press, INC .(2012). New York.

[3] Ibid

[4]Fearon, J. and Laitin, D. (2009).*Ethnicity, Insurgency and Civil War*, American Political Science Review, 97(1): 75-90.

electoral commissions, inefficient judiciary system and lack of institutions empowered to address

the issue of democracy and the underlying causes of grievances held by the people. [5]

Some of the grievances undermining democracy are within the control of the government

hence making the people feel helpless. [6] Given amount of both material and growth benefits

associated with political offices, politicians vying for various positions in the government go to

the extent of even buying votes, manipulating the electorates wit violence other means like

messing up the vote counting process. [7] Recently, concerns have been raised by various

stakeholders on how competitive electoral process in Kenya which have ethnically divided

societies could undermine democracy and electoral integrity. [8]

In 1963, Kenya attained independence from the colonial rule (British). Immediately after

that the leaders present at the time should have dealt with the issues the country is suffering from

today. Instead of that, social, economic and political discrepancies kept on growing under their

leadership. The country has suffered the consequences since December 27th 1963, four decades

after the colonial power handed over the mandate to run the government to the rightful owner. It

was the colonial power that initially pitted Luo ethnic group against Kikuyu ethnic tribe, and the

sense of fierce tribal competition has never subsided since.

The country of over 40 million people tallying from 43 tribes; the Kikuyu, the Luo, the

Luhyia, the Kamba, the Kalenjin and a number of coastal tribes) forms the biggest percentage.

Democracy is still crawling slowly in Kenya. In the late 1980s, opposition voices came in against

the then president Daniel Arap Moi in attempt to break his iron fisted one-party tyranny. All it

bore were beatings, arbitrary arrests and detentions. But they pressed on up to 1992 when multi-

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[5] Ibid
[6] De Smedt, J. (2009). *'No Raila, no peace!' Big man politics and elections violence at the Kibera grassroots*, African Affairs, 108/433, 581-98.
[7] Throup, D. and Hornsby, C. *Multi-party politics in Kenya.* USA: Ohio University Press.(2008).
[8] Ibid

party competition introduced. From then on, the fight for better governance was on till in 2002 when Kibaki was voted in as the president. It felt like a second liberation only that this time round it was from a person of color.[9]

Today, it is clear that such hopes were mistaken to ever come true. The chronology of ills that should have been purged out of sight immediately after independence has resulted in a precarious situation, spinning out of control with no hope of ever saving the situation with the continued attitude adaptation. The sudden violence shows people that have already been overburdened by the government through been bypassed by development, being denied the right of ownership, the touch of negligence by people they've elected, denial of rights to traditional ways of life as well as new opportunities and life styles. Kenyans feel that they got nothing more to loose and nothing to expect if they don't stand firm on their feet for themselves.[10] It is only the poor that face deaths and destructions in case of such violence. The rich never feel the heat of the fire they stir up on the poor to engage in violent acts.

The Kenyan scenario provokes debate. If democracy is cure to the suffering in the continent of Africa, then we will have to start from the roots. We will have to deal with historical social political, cultural and economic woes. The more they remain unsolved the impact of electoral democracy remains a fantasy.

1.2 Problem Statement

Protracted intra state conflict in Kenya has for many times triggered violent conflict. Since independence was attained, Kenya's electoral system has always been faced with reversals and tensions. This has led to partial peace among the citizens. Mostly there is no peace and just in

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[9]Sorrenson, M. *Origins of European Settlement in Kenya. Nairobi:* Oxford University Press. 2009.
[10] Mehler, A. *Votes, Money and Violence. Political Parties and Elections in Sub-Saharan Africa.NordiskaAfrikainstitutet,* Sweden. (2007). University of Kwazulu-Natal Press, South Africa.

case it's there it is negative peace especially during the general elections. The peace is mostly infested with manifest conflicts from period to period.[11] Since the birth of multi-party democratic politics, the country which was once a perfect example for a peaceful state has been randomly faced with various electoral conflicts that has left so many people dead and majority homeless.[12] In 29 December 1992, the results were marred by allegations of ballot-box stuffing, and targeted ethnic violence in the Rift Valley Province. Human Rights officials checked into the matter and accused the then president Daniel Arap Moi and his vice president George Saitoti for inciting the people and coordinating the violence experienced.[13] In December 1997, history repeated itself, politically born ethnic violence rose again taking with it over 2,000 lives while leaving over 40,000 internally displaced. This was experienced during and even after the elections.[14]

On December 27, 2007, former president Mwai Kibaki was once again announced the president for his second term after serving from 2002 for his first term. His challenger Raila Odinga claimed that the vote was rigged. Clashes were up again but this time round more powerful as over 1,100 people were dead with over 600,000 homeless within one-week period, in a country termed as an icon of peace in its region.[15]

On July 30, 2017 the deputy president's, Ruto, home was under a 20 hours siege and a police officer was left dead and an attacker during the fire exchange.one day later, Chris Msando, a top

[11]Smith, L. _Explaining violence after recent elections in Ethiopia and Kenya._Democratization. 2009. Volume 16. Issue 5. pp 867 – 897

[12] Kenya National Commission on Human Rights [KNCHR] 2017:5;

[13]Joshi, Madhav, Erik Melander, and Jason Michael Quinn. "Sequencing the peace: How the order of peace agreement implementation can reduce the destabilizing effects of post-accord elections." _Journal of Conflict Resolution_ 61, no. 1 (2017): 4-28.

[14]Huang, Jennie, and Corinne Low. "Trumping Norms: Lab evidence on aggressive communication before and after the 2016 US presidential election." _American Economic Review_107, no. 5 (2017): 120-24.

[15]Page, Kathleen R., and Sarah Polk. "Chilling effect? Post-election health care use by undocumented and mixed-status families." _New England Journal of Medicine_ 376, no. 12 (2017): e20.

official in overseeing the electoral process was found dead with his lifeless body showing marks of extreme torture.[16] Later on a 6 month old baby girl, Samantha Pendo, had her head skull crushed through by an identified police officers bullet. It was said to be a strayed bullet following the rigged elections on the ground. A few weeks later, Chental Amondi two-years old was also a victim of a police bullet.[17] On 26th October during the repeat presidential elections, 26 people suffered gunshot wounds and three registered dead as per the records of New Nyanza Provincial Hospital (aka)Jaramogi Oginga Odinga Teaching and Referral Hospital.[18]

Even though the magnitude of the killings and the scale of the destruction were unprecedented, the phenomenon of electoral violence is certainly not unique to the case of Kenya. Electoral violence in Kenya has dragged in no benefit nor good, it pulls out lives, brings in hunger, misplaces thousands of people and brings related diseases just to count a few effects. It is therefore very crucial to check into the situation and evaluate whether there could be a possibility to curb it in the near future. Determining various causes of the electoral violence is the very first baby step home. This study serves as a tool for conflict transformation and also as a guide for democratic and peaceful elections.

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[16]Harish, S. P., and Andrew T. Little. "The political violence cycle." *American Political Science Review* 111, no. 2 (2017): 237-255.
[17]Joshi, Madhav, Erik Melander, and Jason Michael Quinn. "Sequencing the peace: How the order of peace agreement implementation can reduce the destabilizing effects of post-accord elections." *Journal of Conflict Resolution* 61, no. 1 (2017): 4-28.

[18]Joshi, Madhav, Erik Melander, and Jason Michael Quinn. "Sequencing the peace: How the order of peace agreement implementation can reduce the destabilizing effects of post-accord elections." *Journal of Conflict Resolution* 61, no. 1 (2017): 4-28.

1.3 Objectives of the Study

Main Objective

This study sought to examine internal and external factors influencing election violence in Kenya.

Specific Objectives:

i.   To examine internal factors influencing election violence in Kenya

ii.   To investigate external factors influencing election violence in Kenya

iii.   To make necessary recommendations to mitigation future electoral violence in Kenya

1.4 Research Questions

i.   What internal factors influence election violence in Kenya?

ii.   What external factors influence election violence in Kenya?

iii.   What mitigation strategies can be adopted in order to end future electoral violence?

1.5 Literature Review

1.5.1 Trend of Electoral Violence in Kenya

Electoral violence is inclusive of acts or threats of coercion, intimidation, or physical harm perpetrated in order to attain a desired outcome of the electoral process mostly in favor to a certain side.[19] What makes electoral violence stand out from other illicit tactics used by devious politicians, what differentiates electoral violence from other types of intimidating the process like vote buying is that it is non persuasive and also nonpolitical in nature. It relies on other

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[19] Sisk, T.D. *Elections in fragile states: Between Voice and Violence.* Paper prepared for the International studies Association Annual Meeting, San Francisco, California, March 24- 28, 2008.

means such as interfering with the ballot boxes so as to manipulate the outcome.[20] yet, although the ultimate aim of manipulating the process is to get a favorable result to one's self, it also carries the risk of why the autocratic signed up for the elections in the first place. After that if they still don't get the expected result or are not contented with the outcomes, they most likely sought to use other means and majorly is by causing election fraud. [21]

The predominant in electoral power usually have strong desires to remain in the position but due to direct or indirect forces of democratization they are mostly pushed to expose themselves to the uncertainties of elections. [22] However, with the long years of autocratic, a legacy of deep-rooted cleavages and tension may might be left behind within the society and later on turn against incumbents in the face of a regime change in case they lose the elections. Losing is not only all about political power but also loss of their legal impunity and also financial or material benefits.[23]

At times change of regime can lead to death of a former leader. As oppositions side, a loss means more benefit than a win. A win indicates end of business while a loss is a sign of business as usual. A win will also means it's time for another opposition leader to get in as opposition leader to oppose them. A loss will also mean more opportunities for their constituencies and also their leaders.[24]

As the opposition gains much momentum in their field, opposing, they gain much acceptability from the people and by the government allowing them to operate much freely

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[20] Owuor, S. Weapons of Mass Destruction : Land, Ethnicity and the 2007 Elections in Kenya. *Journal of Contemporary African Studies. 2008. Volume 27. Issue 3.*

[21] Ibid

[22] Berg-Schlosser, D. *Political Stability and Development*: A Comparative Analysis of Kenya, Tanzania and Uganda. 2011.

[23] Ibid

[24] Collier, P. Conflict, Political Accountability and Aid. Taylor and Francis Group. 2011.

unlike in the beginning and increase their capability to compete with the incumbents. The raising heights of competition most probably means sharing of the votes in the following elections. As sharing doesn't, mean having more votes than the sitting government, they have to use other means to boost the win. When the stakes gets high, mostly it stirs up competition. With the increase in competing it leads to the temptation to use other illicit means to win the electoral racehigher grounds of competition forces the political culture winner to take to all that pulls plurality in the electoral system that goes with the principle of first-past-the post (FPTP).in Africa 28 countries are cultured to use the plurality or and majority systems in their elections while others use proportional presentation.[25]

Since 1991, the birth of the multiparty system, the electoral voting process has been covered up with tribalism rather than worthiness and capability of the leader to deliver. Every community is ever determined to pull leadership home blindly without understanding of the consequences.[26]Before the first multiparty election, 1992, still some areas were flared up in tribal clashes so as to alter the electoral results. Regions like the coastal areas were on it as they had always felt neglected by the government. This caused the uproar to be infamously termed as Kaya Bombo killings in the year 1992 and reoccurred again in 1997.[27]Although the government of the time invested into the research, no findings came up thus no actions were taken against the inciters.

Large part of the Rift Valley was as well affected by the election related tribal conflicts. Molo and Nakuru districts clashes had a forest burnt down in the disputes. Isiolo district also had

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[25] Weinberg, L. *The Democratic Experience and Political Violence.*Routledge.2012.
[26] Branch, D. *Democratization, sequencing, and state failure in Africa: lessons from Kenya. African Affairs.* 2008. Volume 108. Issue 430. pp 1-26.
[27]Dersso, S.A. The 2007 *Post-election Crisis in Kenya as a Crisis of State Institutions.African Renaissance. 2008.* Volume 5. Issue 3&4. pp. 21-31.

a touch of the violence. The cause was dug into but no action was taken against the related manner. Having no instigators behind the bars, it gave them much power as they will always expect a repeat of the scenarios. At times the battle is religion based. For instance in 1992, in the Kenya's second largest city, there were street fights between the police and supporters of the Islamic Party of Kenya (IPK), they were fighting for their leader to get into position on an Islamic platform.[28]Although they did not succeed, the scores were injured and property worth lots of shillings gone as the police aimed at restoring law, peace and order back in the streets.

The 2002 elections, which brought a change as great as rest from the KANU regime, was also affected by the conflicts again. This time round it was not only about violence but also emergence of armed groups, a new phenomenon emergence. They all rose with different names like Mungiki, Kamjesh, Jeshi la Mzee, SunguSungu and the Baghdad Boys. They were mostly young men controlled by political figures with a diverse political interest by their masters.[29] In 2002, the elections were worth being termed as peaceful as compared to the previous accounts. But it also had an effect in future as it pulled along its armed groups to the 2007 elections. (The Mungiki, for example, were still in the picture during the violence 2008).[30]

The 2007-08 violence pulled down the Kenya's known peace totally. It was widely reported with the international community being involved most. The best way to summarize the 2007-2008 chaos is that it was the Kikuyu's led by the then president Mwai Kibaki of PNU coalition (Kikuyu-Meru) against the Luo community led by Raila Odinga with the Orange Democratic Movement coalition (ODM). In intervention by the international community, there

[28]Elklit, J. &Svensson, P.*What Makes Elections Free and Fair? Journal of Democracy.*2002. Volume 8. Issue 3. pp. 32-46
[29] Kagwanja, P. &Southall, R. *Kenya's Uncertain Democracy: The Electoral Crisis of 2008. Journal of Contemporary African Studeis.* 2009. Volume 27. Issue 3.
[30]Herbst, J. *Political Liberalizationin Africa after Ten Years. Comparative Politics.*2012. Volume 33. Issue 3.

had to be a new constitution in place. The consequences of the new constitution were seen in 2013 and 2017 elections as they brought up confusion with violence.[31]

1.6 Justification

Africa has witnessed many conflicts, including conflicts rising from ethnicity, genocide, ethnic cleansing, religion, race, and/or natural resources. Election malpractices are also a major cause of violence in the continent. In the past countable years, elections have caused violence in Zimbabwe, Kenya, Ivory Coast, Togo and Gabon, among other countries. This has increased the death counts, disease incidences, hunger and the number of homeless people or living as refugees in foreign countries seeking peace. Thus, it is very vital to find out the causes of the electoral violence and conflicts and come up with working mechanism to mitigate the risk to more.[32]In addition, apart from the immediate consequences of post-election violence, in the long run it brings with it peace promoting development, economic growth, social values and security whichimproves the socio- economic growth. This is essential in Africa so as to stabilize the economy its.[33]

By getting to understand the causes of electoral violence, this study serves as a knowledge source that other scholars could further research on how to ensure peaceful elections, ensure democracy as well as improved electoral systems.

The study contributes to the provision of solution and the methods to be employed in controlling election related violence. This will impact greatly on reduction of incidents of criminal activities and lawlessness in Kenya.

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[31]Laakso, L. *Multi-Party Elections in Africa*. Palgrave: New York. 2002.
[32]Francis, D.J. *Peace and Conflict in Africa*. New York: Zed Books. 2009
[33]Gifford, P. *Christianity, Politics, and Public Life in Kenya*. Columbia: Colombia University Press. 2009.

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This study will benefit; the Government officials and security agents, who will gain by building on their strength and improving on their weaknesses from the all cases of election violence; the members of the public will take advantage of this research literature and present their views on the research topic which will be brought forward and disseminated while releasing bottled up emotions will also be a relief to most of them.

The students at various levels will learn a lot from the study, criticize it and do further research to fill the gaps. The IDPs as well are bound to benefit as some suggestions touching on their lives in the camps may be addressed. Solving such problems will impact positively on the lives of the affected people and hence an opportunity for growth and development.

1.7 Theoretical Framework

1.7.1 Greed – Grievance Theory

This study was based on the Greed – Grievance Theory. The proponents of greed grievance theories are Paul Collier and AnkeHoeffler. "Greed" is shorthand for the argument that that is imposed to getting something better or greater than what you have at hand or can afford. There is performance of cost benefit to joining an opposition to check whether joining a rebellion are greater than not. In such cases the idea of organizing a violent act must be of benefit to the inciters. Collier and Hoeffler found out that the civil wars emerge out of greed of some individuals or group of people in an attempt to rebel against the government or an act to taint the it black.[34]

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[34]Collier, Paul, and AnkeHoeffler."Greed and grievance in civil war." *Oxford economic papers* 56, no. 4 (2004): 563-595.

The basic tenet of the greed theory is that it is all about gain to the rebellious side. Greed here can also be termed as the need for a personal gain at the harm of the greatest number of individuals. It is researched that an opportunity to loot the government resources by a few individuals is a great facilitator to rebellion. Mostly rebels stir up a fight or argument with the reigning government for a personal gain. Typical opportunities are the chief conditions for profit seeking, for rebel organizations to exist. Political opportunities mostly act as the lead to the leadership opportunities that narrow down to various diverse gains that were aimed at from the first step of rebellion. This can clearly explain why the incumbent leaders find ways to remain in the government even after their stay in the office is over. Greed behavior that views stay at power as an avenue to accumulate much wealth rather than serving the citizens that placed them in the positions with a specific aim of benefitting the country but not certain people.

As far as economic activities matter in a country, both the supporters and their leaders hope for a better opportunity in the beginning of every new leadership term. When this chances are engulfed by a few individuals or drained into the leaders pockets, it buys up violence.This can be checked by a research on country's where the citizens receive high levels of economic well-being are less prone to experience such violence as the government delivers exactly what was promised.

Grievance show that people rebel for various issues other than economic values like identity, social quo and injustices among other issues affecting democratic growing countries. The notion of relative deprivation dates back to the work of Ted Gurr (1970) states it as a miss understanding between the leaders and the led on what the led are supposed to receive after a given period versus what the leaders offer. In short, the promised during the election campaigns to the actual achievements. For instance, educational achievements may raise the aspirations of

young people but they will become frustrated if unemployed, occasionally venting their feelings in mass political violence. Such violence may be used to compensate for the deprivation.[35]

Gurr puts forward the hypothesis that the violence expected varies directly to the intensity of the relative deprivation among various individuals in combination.[36]This notes down that individual deprivation is the foundation laying to electoral conflicts. According to resources used, wars are not majorly promoted by grievances but by the economic agenda leading to greed.[37]

The theory thus gives two independent variables, greed and grievances, which are almost completely inter-twinned making it difficult to differentiate between the two from the surface values. To tear them apart, grievances if catered for they will definitely lead to development of the society. Greed in the other hand is for personal gains only and the only remedy is getting rid of it.

Greed and grievance is the powerful strong foundation that advances to conflict as explained by Collier and Hoeffler.[38]They concluded that violent conflicts may arise as a result of grievances. This is in relation to economic distribution inequality, political exclusion or political entrepreneur discrimination who aim at providing themselves with avenues for quick wealth and power. In cross-country analyses at the onset of wars as well as the duration of war they found out that factors coming up from greed are more robust than grievance factors.

[35]Gurr, Ted Robert. "Economic factors."In *The roots of terrorism*, pp. 97-114.Routledge, 2013.
[36]Ted, Gurr. "Why men rebel." *Princeton, PUP* (1970).
[37]Collier, Paul, and AnkeHoeffler."Greed and grievance in civil war." *Oxford economic papers* 56, no. 4 (2004): 563-595.
[38] Ibid

1.9 Methodology

1.9.1 Research Design

The study mainly adopted a qualitative approach. As to sources of study, Alan Bryman illustrated that a researcher can use a variety of documentary sources at the aim of attaining a qualitative study. Yin also argued that a researcher should acquire and arrange the sources in a systematic order so as to ensure a good flow of data. They should also understand the purpose of the document as well as the side of the writer so as to make a perfect interpretation of the work.[39]Different types of documentaries should be consulted in order to achieve this planned study. This is not a non-empirical study but a qualitative one.[40]

1.9.2 Data Collection

The research predominantly used secondary data. Secondary information was sourced from books, journals and theses. Data was also collected from the reports from government institutions and nongovernmental actors, including the National Cohesion and Integration Commission (NCIC), district peace committees (DPCs), and local organizations among others. Literature on external and internal factors leading to election violence was carefully scrutinized in order to give a clear theoretical framework for this analysis.

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[39] Ibid
[40]Wang, Jiang-Jiang, You-Yin Jing, Chun-Fa Zhang, and Jun-Hong Zhao. "Review on multi-criteria decision analysis aid in sustainable energy decision-making." *Renewable and sustainable energy reviews* 13, no. 9 (2009): 2263-2278.

1.9.3 Data Analysis

The gathered data was analyzed using content analysis. Content analysis is the systematic qualitative description of the composition of the objects or materials of the study.[41] Content analysis is a method used in qualitative analysis to describe behavior of asking who, where, when, how like questions to limit analyst bias Content analysis was therefore employed in this study to analyze the qualitative data collected from secondary materials. From the collected data, themes were developed according to the study's objectives.

1.9.4 Chapter Outline

Chapter One contains the background information to the study, statement of the research problem, objectives of the study, literature review, justification of the study, theoretical framework, hypotheses and the methodology.

Chapter two examined what constitutes violence in Kenya in the basis of elections, the internal factors that influence election violence in Kenya. The chapter is discussed under the following subtopics: Political Issues, Electoral Politics, Ethnic Composition, Economic, Land and Inequality, Poor Socio-Economic Conditions, Unequal Distribution of Resources, Impunity as a Source of Election Violence, Unethical Media Reporting and Election Violence, Class War, Unclear Election Results That Aren't Credible and A system where the winner "takes all.

Chapter three: examined external that influence election violence in Kenya. The chapter is discussed under the following subtopics: Grievances Relating to Genocide, Crimes against Humanity and War Crimes; Protracted Conflicts, The Presence of Non-State Armed Actors, Environmental Hazards, The Presence of Organized Crime, Conflict Relating to Changing Power

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[41]Mugenda, Olive M., and Abel G. Mugenda."Research methods." *Quantitative and qualitative approaches* (2009).

Dynamics, Human Rights Violations, International Causes, European Commission (EC's) Lack of Control over the Election Administration and Institutional Weaknesses.

Chapter four: entailed the efforts and mitigation strategies already applied to help end electoral violence and their effectiveness. The chapter is discussed under the following subtopics: Efforts and Mitigation Strategies, Presence of Monitoring, International Assistance, Mediation, Legal Framework and Institutional Design, Law Enforcement and Voter-focused strategies

Chapter five gives discussion of the findings, study conclusions and recommendations based on the findings of the study.

CHAPTER TWO

THE INTERNAL FACTORS INFLUENCING ELECTION VIOLENCE IN KENYA

2.1 Introduction

Identifying internal causes of election violence is a tiresome task. Firstly, any attempt to the theory behind election violence can be object as it can be viewed as an attempt to point at economic, social, or political related issues and which seems as a wrong dimension in approach of violence. Through such a dimension, political violence seems as unavoidable and as a part which it is not. Mass violence can be explained in the perspective that it is reoccurring in most African countries and not in more or less impact in other countries in the continent. Every time a research or study is made on the issue of civil wars and their causes, skepticism arises. Below is an overview on the main internal causes and forces that maybe consenting the electoral violence in Kenya.[42]

2.2 Political Issues

According to Francis, the experienced political clashes go deeper than the ethnic issues covering the media headlines in order to gain uncountable basis to explain the situation. To be clearer on the point, much study and understanding should be placed on getting a clear picture of the political development from the ground of getting independence.[43] In 19th century, the nation Kenya after gaining independence from the colonist, British, commentators explain civility of Kenya as have been gotten from eyeing the white man but ethnicity was out of subsistence

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[42] Fischer, Jeff. "Electoral Conflict and Violence: A Strategy for Study and Prevention." IFES White Paper, 2002.
[43] Francis, D.J. Peace and Conflict in Africa. New York: Zed Books. 2008.

farming and also herding or even both at the same time. Some commentators have claimed that peoples' civility, and ethnicity was shaped by their subsistence farming or herding, or some mixture of both".[44]

The quest for independence began in the 90s when white settlers started grabbing lands from the Kenyans mostly in the fertile highlands of the Rift Valley and Central provinces and pushing them down to the waste lands. The British power set up administration structures to impose authority on the people and up to date the structures are still used on more the same responsibility. Other than the land grabbing issue there were more oppressing issues like forced cheap labor, tax...Etc. These conflicts led to the 1923 Devonshire White paper, which stated that Kenyans are the rightful owners of the land and therefore paramount. Kenyans especially the Kikuyu, Maasai and Kalenjin, lost much of their land to the white man as they occupied the best agricultural land which meant less food production for the color man increasing hunger. In 1954, a redistribution scheme was introduced but did not satisfactorily settle the question.[45]

Identification of an individual as a Kenyan had already started in 1922.in the early 50s of 19th century the struggle for independence began led by Mau Mau which by 1955 had left over 13,000 people dead.[46]In the 60s, Daniel Moi, Ngala and Masinde Muliro of KADU party began a regional system against centralism of Kenyatta, Odinga and Tom Mboya of the KANU party.[47] Alliance by leadings the then leaders from different political parties gained power by each day as they sang in unison the release of the detained leaders in an attempt to form the first government

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[44] Ibid
[45] Collier, Paul. Wars, Guns and Votes: Democracy in Dangerous Places. London: Bodley Head, 2009.
[46] Friedrich Ebert Stiftung and Centre for Conflict research. Political and Electoral Violence in East Africa. Nairobi. 2012.
[47] Abbink, Jon, and GertiHesseling, eds. Election Observation and Democratization in Africa. Basingstoke: Macmillan Press, 1999.

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led by Kenyans themselves. The heat piled up forcing the British to retreat out leading to the release of the detained leaders i.e. Jomo Kenyatta.

In 1963 when Kenya gained independence from the colonial power, it inherited undemocratic institutions that led it to the hands of corrupted political leaders. This explains the de colonization after colonization but ow by a black colonist that retained the white mans' systems compromising the question on lands. They dashed themselves both political and economic favors which pull along all the way to the subsequent leaders. (Moi a member of KADU, Kibaki a technocrat of KANU, Michuki internal security minister etc.). This has been explained as a mirror of the colonial systems to tyranny, oppression and poverty rather than the expected leadership filled up with openness and accountability.[48]

It is annoying to check back into the experienced violence in the 1992 and 1997 which captured both national and international attention at the time. The 2007 episode was more exasperating with its incidences.[49] It all began as a politically triggered issue immediately after the general elections. It was uproar of Kibaki being voted in as a president for the second time, his second term which was greatly disputed by the opposition leader Raila Odinga of Orange Democratic Movement.[50]

The opposition, ODM supporters, claimed that the vote counting process had being rigged by the PNU leaders thus a violent reaction between the Luo communities versus the Kikuyu people. Reports were covered by different media groups on torching, looting, killing,

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[48]Maupeu, H. Revisitng post-election violence.inLafargue, J. (Ed.). The general elections in Kenya, 2007. Dar es Salaam: MkukinaNyota Publishers, Ltd. 2008

[49] Ibid

[50] Dean. G. Pruitt and Sung Hee Kim, Social Conflict: Escalation, Stalemate, and Settlement, 3rd ed. New York: McGraw-Hill, 2004

maiming etc. between supporters and there rivals. In prove, it happened in the areas where ODM

supporters were dominant like Rift Valley, Mombasa and Nairobi slums as well as areas where

PNU supporters were majority. In addition, the clashes were coordinated by youths. In this, it is

argued that Kenyan conflicts are derived from political factors.[51]

2.2.2 Electoral Politics

Electoral politics impact on civil wars can be understood by checking into the institutions

responsible for the electoral procedures and process.[52] The electoral system of Kenya is based on

constituencies made up of tribal boundaries which are the main hindrance to democratic

development of the country. The constituencies are represented at different levels of leadership

by different people mainly of the same tribe i.e. Member of Parliament or urban council. All

elections take place together with the presidential election.[53] The electoral commission team

determine the boundaries and have the power and mandate to move it in case of increase in

population without the consultation of the communities affected. Moving the boundaries is

mostly directed by the president.

The sitting president appoints the board of commissioners of the electoral team without

even the approval of the parliament members.[54] The main problem in Kenya is that there are no

records on the true number of citizens in the country other than those eligible for the voting

process. This is because of lack of regular census and update of data as per the birth and death

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[51]Levitt, J. —Conflict Prevention, Management and Resolution: African Strategies of Prevention of Displacement
and Protection of Displaced Personsl, Duke Journal of Comparative & International Law, vol. 11, no. 39,
2012.
[52] Kwamschetsi, M and Orlale, R. In the Shadow of death: My trauma, my experiences, voices of Kenyan women
from post-election violence, Nairobi, 2009.
[53]KimaniNjogu(ed.), Healing the wound: Personal narratives about the 2007 post-election violence in Kenya,
Nairobi, 2009
[54] Ibid

counts. This results to "ghost names" in the voters' registrations even after a five-year period of preparation for the process. It's also not amazing to find under age persons in the voters list. The sitting president appoints the board of commissioners of the electoral team without even the approval of the parliament members.[55] The main problem in Kenya is that there are no records on the true number of citizens in the country other than those eligible for the voting process. This is because of lack of regular census and update of data as per the birth and death counts. This results to "ghost names" in the voters' registrations even after a five-year period of preparation for the process. During the vote count, it's later found out the vote's number are higher than the expected. It has led to the suggestion of further divisions of the constituencies so as to attain the 25% presidential approval.[56]

The disease that Kenyans are suffering from is was born long time ago, in the 1963. The stiff competition came up with the idea of finding a way to manipulate the electoral process as well as institutions related and also corrupting the constitution to suit those in power.[57]This began immediately after independence when leaders in KADU fall apart in to KANU and later on into KPU, a newly formed party then. Though most people term the fall out Kenyatta and Odinga as political ideology, the main reason because of the feeling that the president then, Kenyatta had betrayed this colleges as well as Kenyans at large by failing to keep to his words of eradicating poverty, illiteracy and diseases a independence. Instead of helping Kenyans and

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[55] Ibid
[56]Kwamschetsi, M and Orlale, R. In the Shadow of death: My trauma, my experiences, voices of Kenyan women from post-election violence, Nairobi, 2009.
[57] Ibid

solving the land puzzle, he took the large parcels of land to himself including in the Rift Valley.[58]

When Kenyatta died in 1978, Daniel Moi got into power as the president of the republic of Kenya. It was now the reign of the Kalenjin community; a regime that lasted for 24years.He took advantage of the Kenyan diversity and caused clashes in districts and provinces with mixed tribes. In the 90s during the struggle for multi-party system, he perfected his skill to hinder the change. He used different groups to disrupt meetings geared toward the opposition of his leadership.[59]

Moi used various tactics to ensure that he remained in power, he went to the extent of pitting up different groups 'against each other and even buying political leaders to his side to ensure he had majority of the parliament members to his side.His ways kept him in power against the opposition in 1992 and 1997. But change can never be opposed, in the year 2002, different leaders under different parties united to kick out the 24 years reigning President Arap Moi. NARC, FORD- Kenya (Wamalwa), LDP (Raila), NAK/DP (Ngilu and Kibaki) managed to win against Moi's preferred successor, Uhuru Kenyatta (the son of the first president of Kenya). Kibaki became the president, the second president of the republic of Kenya.

There was new leadership, this time round a genuine straight forward leader. Elected for change to form a platform for reforms of the ill government left behind. It brought constitutional change, kicked out corruption and tribalism with the hope of giving Kenyans a new healthy

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[58]Kahora, B. The fire next time or a half-made place: Between Tetra Paks and Plastic bags Kwani? 5(2), 2008.
[59]Gifford, P. Christianity, Politics, and Public Life in Kenya. Columbia: Colombia University Press. 2009.

upgraded standards of living.[60]Kibaki failed to achieve what was expected and it killed the Kenyans expectations from him. His unwillingness to leave a legacy behind, get out of the self-imprisonment of thinking and the arrogance of the people surrounding him angered Kenyans. This was fully expressed in 2005 in Wako's draft a constitutional product of a people led process when the majority voted it NO while YES was only in his home province. This was not a vote against the Kikuyu but a vote by the majority. But ethnic differences cannot escape the eye; this is because the central province people voted YES because they were protecting the presidency to keep it to themselves.[61]

The frustrations were once again shown during the 2007 presidential elections when the president lost his allies of Central province and other high profiles from other regions. Ethnic alliances also rose up in a political dimension. Even though not very clearly, some areas experienced both political and economic marginalization unlike others. This tore ethnic groups' part once again leading to post ethnic conflict. Although the impact of suffering during the previous leadership regime had reduced from group to group, frustrations still exist within some of the groups for instance the Kalenjin community rejecting one of their own, Moi and his sons, while the Kikuyu has rejected those surrounding Kibaki. The same was also experienced in the members of parliament levels where leaders who did not deliver were voted out.[62]

[60] Johan Galtung, Violence, Peace and Peace Research", Journal of Peace Research, 6 (3), 2012,
[61] Huntington, S. The Third Wave: Democratization in the Late Twentieth Century. Oklahoma: University of Oklahoma Press. 2010.

[62] Ibid

2.3 Ethnic Composition

The national level elections are mostly wrongly interpreted as a battle between the kikuyu and Luo community. Most commenters ignore crucial roles played by other communities i.e. Kamba, Kisii, Luhya, Coastal people and other important urban area of Kenya.[63] The smaller ethnic groups are ignored although they play a role in the identification of Kenya. Groups like the Ogieks and Jemps are hardly or never mentioned although they were the first inhabitant of the Rift Valley but were later evicted for their places to be occupied by the present occupants. The issue with Kenyan politics is that every ethnic groups wants to get a hold of the government and this brings ethnic diversions due to the competition.[64]

When Kenya gained independence, it was a one-party state. Kenyatta ruled with a clique of a few leaders mostly from his region, the Kikuyu who alienated every other group from political or economic growth from 1963-1978. Although Jomo did not stir up ethnic clashes, he pinned down various leaders from different ethnic groups from the ability of getting him out of power.[65] His tactic was assassination. He killed everyone that sounded as a threat to his leadership e.g. Pio Gama Pinto, JM Kariuki, Tom Mboya, D.O Makasembo, ArwgingsKodhek, Ronald Ngala , Seroney among other leaders then. When Moi got into power, he adopted the same kind of strategy to keep power. Prominent people were assassinated or their deaths were mysterious. He took out Robert Ouko, Owiti Ongili, Otieno Ambala, Hezekiah Oyugi(all luos),

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[63] Johan Galtung. Twenty-five Years of Peace Research: Ten Challenges and Responses" Journal of Peace Research 22, 2006.

[64] Ayoob, M. The Third World Security Predicament: State making, Regional Conflicts and the International System. Boulder, CO: Lynne Rienner, 2006.

[65] Healy, S. Lost Opportunities in the Horn of Africa: How Conflicts Connect and Peace Agreements Unravel. London: Chatham House, 2008

Bishop Kipsang(Kalenjin), Adungosi and Muliro(luhyia).. Many students, journalists, lecturers and politicians like Raila Odinga.[66]

The true picture of each community to gain independence is never well painted across all communities that participated. Mostly, most people think that it was Mau Mau that fought against the whites. This has made Mau Mau the epicenter of independence shadowing the rest of the fighter groups. [67]Struggle for power began immediately after the postcolonial government a formed. The first government to be formed fully represented the Kenyan face but soon it was filled with different ideas from different leaders which brought up cold wars against themselves that later on nourished up betrayal issues. This tainted the true picture into greedy of power amongst themselves. Elimination of certain individuals began and at times it was.[68]Since then the electoral system has never gained the ability to stand on its own without corruption and other issues to make the voting process fair.

Battle for ethnic ascendancies, power hungry leaders, ethnic politics and the undemocratic processes that are the mark of Kenya today began that long and the country has being pulling along with it up to date. The reoccurring incidences of 2007, 2013 and 2017 have shown the stoking of certain power hungry leaders into ethnic groups and electoral institutions of Kenya. A thing that will never stop digging deeper after every election unless it is fully addressed.[69]

[66]Kabongo, I. Democracy in Africa: hopes and prospects. In D. Ronen: Democracy and Pluralism in Africa. Boulder. 2009.

[67] Francis Mureithi, ODM settle for Ghana President Kufuor for talks", Nairobi Star. 04 January, 2008.

[68]Caporaso, J. "Encapsulated Integrative Patterns versus Spillovers: The Case of Agricultural and Transport Integration in EEC" International Studies Quarterly 14 (4) 2002.

[69] Hamburg, D. A. Recent advances in preventing mass violence. Annals of the New York Academy of Sciences. 2010.

This factor is one of the major causes of the post-election violence in Kenya. What at first was reaction to the election outcome grew into an ethnic violence as it was perceived as discrimination and inequality to certain groups in fields of resource allocation. This cases simmer danger not only in Kenya but also in other countries in Africa.[70]

The painful part is that there are always vengeance clashes between Kalenjin and Kikuyus. Just like the dispute between Tutsis and Hutus in Rwanda and Burundi respectively, politicians in Kenya instead of getting into the matter and solving it once and for all, they politicize it.[71] It has been viewed that since independence the feeling to remain in once ethnic boundaries in terms of voting has been an adopted style. Being in a powerful position means much exposure to resource to development not only to the individual but as well as to the ethnic group that he leader comes from.

Differences have been observed where some ethnic groups are favored over other groups for example GikuyuEmbuMeru Association (GEMA) inhabit the green fertile highlands while others like Kalenjin Maasai Turkana Samburu Association (KAMATUSA) lived in the waste lands that are non-productive forcing them to major in pastoralism. Also during the Arap Moi's regime, the Kalenjin felt in power. Kenyans feel that that the tribe from which the president comes from is more powerful than every other group. It is also evident that they also gain better socio-economic standards as well as political benefits while the rest are accustomed to inequality and injustice.

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[70] Ibid
[71] Gareth Evans, The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All. Washington, DC: Brookings Institution Press, 2008.

2.4 Economic, Land and Inequality

In Kenya, having your tribesman in power assured the tribe easy access to government resources and political power as the privilege. [72] Some of the major causes of the 2007 post-election violence were inequality in the political and economic structure due to favors to a certain tribe or ethnic group that was in power at the time (kikuyu). It was observed that the central region in whole had been enjoying the government resources than any other group in the country yet it was expected to be fair across all the citizens.[73] As a permanent solution to this was been found between the Kikuyu, Luo and Kalenjin, it resulted into a war unlike the peaceful talk expected. The group that feels less privileged o the governmental resources will always fight in order to get its lawful share of the bite. It was an easy peace for a long duration, a time bomb since the gain of independence that it's time to explode was then.[74]

2.4.1 Poor Socio-Economic Conditions

The various factors that must be checked into in an attempt to find the factors triggering election related are high levels poverty in the largest proportion of the population, inequality in resource allocation by the government and also the increasing numbers of unemployed skilled people. Pronounced deprivation of wellbeing is a perfect definition of poverty. It's the inability of an individual to be able to meet the minimum requirements in the society due to capital lack. The term poverty might be diverse but in this matter it is the ability to get balanced diet, education, health, clothing and shelter. Lack of employment is the "mother" to poverty. Mostly lack of employment is due to lack of opportunities because of inequality in distribution of

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[72]Habte-Giorgis, B. The War on Terrorism in the Horn of Africa and its Aftermath" in Sthlm(ed), Faith, Citizenship, Democracy and Peace in the Horn of Africa, 2008.

[73] Francis Fukuyama, Nation-Building: Beyond Iraq and Afghanistan. Baltimore, MD: Johns Hopkins University Press, 2006.

[74] Ibid

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resources. There is undisputable evidence that pull together the relation between poverty, inequality and political violence. Poverty impose more weigh on the less serious disputes leading to clashes over a given period.[75]

Economic frustration and inequalities on the ownership of property as land as well as job opportunities for the youths that were promised have been identified as vital sources of violence during the election period or even after. The most dreadful post-election violence was experienced in 2007 where over 1,500 people were left dead, over 3,000 women experienced rape and 300,000 were left homeless.

2.4.2 Unequal Distribution of Resources

The main reason why most people fight for power is to get the greatest share of the resources and opportunities that in the long run result into to conflict by the people neglected against those in power and gaining favors as far as the government resource allocation is concerned.[76]One of the main causes of violence being socioeconomic factors has so many sub factors heaped behind it like unequal distribution of resources, poverty and land disputes among other factors. Researchers sense that most of the causes to political violence in Kenya are the conditions of life of some people compared to others under the same leaders. [77]

The count of unemployed youths in Kenya has totaled up two over two-million. With the will to move on into life, they may opt to join gangs to gain a living. Some of this gangs are under some influential leader in the government trying to make political gains out of it. To this

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[75] Ibid
[76] Alston, 'Report of the Special Rapporteur', p. 16; Human Rights Watch, 'Post-Election Iran', 2010, available at , accessed 8 July 2011; and Human Rights Watch, 'The Islamic Republic at 31: Post-Election Abuses Show Serious Human Rights Crisis', New York, 2010, p. 1
[77] Crocker, C. High Noon in Southern Africa: Making Peace in a Rough Neighborhood. W. W. Norton. 1992. Commission of Inquiry into the Post-election Violence Report, Nairobi. 2008.

youths, political agendas make no sense to them because no word does the leaders keep when they get into their eyed seats. The little income from the distortion of peace matters a lot.The participation in the political violence is also out of the dissatisfaction of the unevenly distributed wealth and resources across the republic.

Distribution of governmental resources and wealth is evidently unequal to every part of the country (2004 report). Kenya has been entered into data as the as the 10th most unfair country in the world in terms of wealth distribution. In Kenya the richest 10% of the population controls 42% of the countries world. In calculation over 90% of the population struggles for the remaining percentage. 10% of the population which are the poorest scramble for only 1% of the wealth.[78] Access to resources are unevenly distributed from region to region in Kenya. Violence is an expression of the lack of satisfaction of the poor due to the rising standards of living of the politicians out of the expense of the poor through corruption. [79]

2.5. Impunity as a Source of Election Violence

The exemption from punishment of political leaders that stir up political punishment is another factor that has led to continued election violence. Impunity is the one common trait of all African political leaders. Impunity has characterized the political system of Kenya since the re-birth of multi-party system in the early 90s.[80] The inability to hold perpetrators against incites causing political violence during the Moi's regime has led to the same happenings up to date. This seeming as a normal legal thing has caused most leaders to adopt and used it in manipulation of the electoral process without being sentenced against their deeds. This is the

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[78]Azar, E and J. Burton. International Conflict Resolution: Theory and Practice. Boulder, CO: Lynne Rienner, 2009.
[79] Ibid
[80] Ibid

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reason to the reoccurring violence which will ever happen until they sought a permanent solution, apprehending the guilty.[81]

The tongue has power. Every word from a politician brings with it peace or war under its consequences. A leader is an icon of his people, the shepherd of a great herd of flock that does what he/she does. Only a few of them understand this and carefully filter there words before delivering a speech by thinking before they talk.[82] To some speech is just a political game while to their followers words go hand in hand with actions. That's how hate speech grows into a war in the midst of a once peaceful nation. When the leaders says it's the time to fight, his flock folds its fist for a war. That's the power behind a leaders few words. [83]

Martin Luther King Jr said "*I have decided to stick to love...Hate is too strong a burden to bear.* "The fruits of hatred have been reaped in Kenya again and again, the greatest "harvest" being in 2007-2008 post violence election. The results of hate speech are thus a burden too great for any nation to bear. The nature and consequences of hate speech are clear and evident to every Kenyan leader. They always emerge during political tension as a threat to opponents without knowing it might bare more than that. In recent occasions nothing really happens to those apprehended with hate speech and in short run they walk out of the law courts scot-free.[84] Lack of prosecution gives other or the very same leaders' power to continue spreading the word. In the

[81]Mbeki, M. Advocates for Change. How to Overcome Africa"sChallenges.Picador Africa: Johannesburg. 2012.
[82]Muigai, G. Ethnicity and the Renewal of Competitive Politics in Kenya.In Ethnic Conflict and Democratization in Africa. Atlanta: African Studies Association. 2009
[83]Cilliers, J. and Kathryn Sturman, "The Right Intervention: Enforcement Challenges for the AU, African Security Reviewl, vol. 11, no. 3, 2002.
[84] Berg-Schlosser, D. *Political Stability and Development*: A Comparative Analysis of Kenya, Tanzania and Uganda. 2011.

previous occasions local media houses mainly vernacular ones have fueled up ethnic tensions under the push of their political leaders especially during the height of violence.[85]

2.6 Unethical Media Reporting and Election Violence

Ethics is the talk of responsibility, being fair and right. Ethical deeds is an important virtue when it comes to media personality as they have high impact on the public's understanding and behavior to certain motions. Wrong and unfair media reports may lead to political conflict. Unethical journalists that abuse media houses pursues sensationalism. Manifestation of unethical media personalities create a conflict-prone society.[86]

Media is a critical factor communication and development in society. In times of conflict, media has often been accused of not reporting accurately hence inciting the conflict. Media has been termed as the home of propaganda and bias reports. This can result in more problems since information conveyed is the basis of decision making.[87] In the talk of peace and political conflict, media houses have been known to talk hatred and wars against individual political leaders or ethnic groups. They expose details that are certain are evident to cause conflicts to its audience without considering the consequences.[88]

Media industry is about who makes a wider coverage than who so as to keep in the business. They sometimes forget their responsibility in shaping up the society, their fans. Politics also influences the content media covers and these politicians can use to their advantage. In

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[85]Costy, A. and S. Gilbert. Conflict Prevention and the European Union: Mapping the Actors, Instruments and Institutions. London: International Alert, 2008

[86] Bekoe, Dorina, ed.) Voting in Fear: Electoral Violence in Sub-Saharan Africa. Washington. DC: United States Institute of Peace. (2012

[87] Fischer, Jeff. "Electoral Conflict and Violence: A Strategy for Study and Prevention." IFES White Paper, 2002.

[88] Weinberg, L. The Democratic Experience and Political Violence.Routledge.2012.

Kenya, many politicians own majority of the media houses hence they sometimes influence content. Furthermore, politics take a center stage of media content published or aired.

In 2002, after the liberation of public media, some of them started operating with no care to filter their content knowing there power to carry the people with their aired content.[89] During the 2007-2008 post-election violence, some media houses played a vital role towards building up tension into street wars as they broadcasted hate speeches that left over 1,500 people dead.[90] According to the Kenyan National Commission on Human Rights (KNCHR), which evaluated the media responsibility on the post-election found out that media houses had taken different sides before the elections? Most of the journalists had compromised their content to bend towards a certain side of the various vying leaders or political parties. Some vernacular radio stations were even airing hate speeches inflaming the fans passions and had even irresponsible programs.

Violence erupted in the aftermath of 2007 general elections, when, after a three-day wait, incumbent President MwaiKibaki was declared the winner and sworn in hours later. The opposition alleged rigging, and international and domestic observers confirmed instances of electoral malpractice on both sides. Tribal violence in various parts of the country resulted in at least 1,100 killed, 300,000 displaced, and 2,500 sexually assaulted. The conflict also took the economy down with it with a high drop from 7.1 percent to 2.5 percent in2007-2008. [91]

The media was accused of poor and unfiltered reports. They were also in for airing hate speech that inflamed tension. Most watched TV stations broadcast provisional presidential

[89] Ibid
[90] Muigai, G. Ethnicity and the Renewal of Competitive Politics in Kenya.In Ethnic Conflict and Democratization in Africa. Atlanta: African Studies Association. 2009
[91] Mehler, A. *Votes, Money and Violence. Political Parties and Elections in Sub-Saharan Africa.NordiskaAfrikainstitutet.* Sweden. (2007). University of Kwazulu-Natal Press, South Africa.

results that were unconfirmed and often contradicted results from other stations. They also aired or hosted politicians inciting the public. Joshua Arap Sang, a radio personality at KASS FM was on it after his program "Lee Nee Eme" meaning what is happening in the world advertised meeting points where planned retaliatory attacks would be held and for broadcasting false information about alleged murders of people from the Kalenjin community by people from the Kikuyu community in order to inflame tensions. His case was later terminated as the prosecutor cited witness interference and the politicization of the judicial process.[92]

2.7. Class War, Unclear Election Results That Aren't Credible

The level of public property destruction that happened in 2007 could be termed as class war. Because of the wide gap between the poor and the rich, this gave an opportunity for the poor Kenyans to express their economic and social grievances. Most of the youths were also driven by lack of job opportunies and inequality in wealth distribution [93] the notable participation of youths in the violent demonstrations is a clear sign of tired faces faced with socio-economic struggles in the country.

The political unrest was due to President Mwai Kibaki being announced as the president of the republic of Kenya for his second term. This was followed by a speech by his opponent, Raila Odinga, stating that the vote count process had been rigged. The issue was that Raila's supporters slept as the winners but woke up on Mwai Kibaki being on the lead the following day as stated by Bill Sweeney, the president of IFES, which provides technical assistance for

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[92]Kabongo, I. *Democracy in Africa: hopes and prospects. In D. Ronen: Democracy and Pluralism in Africa.* Boulder. 2009.

[93] Branch, D. *Democratization, sequencing, and state failure in Africa: lessons from Kenya. African Affairs.* 2008. Volume 108. Issue 430.pp 1-26.

elections. He also added that there was very minimal transparency to the process. This piled up tension among the people.[94]

That was similar to an occurrence in the 2002 United States election that was faced with irregularities. The difference comes in in that Kenya lacked the intervention of the judiciary system in disputing the matter. The problem is that all power of the whole country is upon the president. The one who was on his second term although accused of stealing.[95]

As stated by Susanne Mueller a Boston University researcher on African studies, any administration organ not under the president is believed to be compromised and cannot resolve anything. No civil servant could go against the reigning president. The then Chief Justice, Willy Mutunga, received death threats in case he announced the voting process as unfair.

2.8 A system where the winner "takes all"

Political parties in Kenya operate under the power of the one who heads it and the influence he/she has in the country as studied by Mueller.[96] A lose by a party is never seen a win for the opponents but as a loss to their party as well as ethnic groups. "*If you as a Kikuyu win, I feel that I as a Luo lose,*" Mueller explained, in reference to the dominant political ethnic groups of Kenya.[97]

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[94]Laakso, L. *Multi-Party Elections in Africa.* Palgrave: New York. 2002.
[95]Cheeseman, N.*The Kenyan Elections of 2007: An Introduction. Journal of Eastern African Studies.* 2008. Volume 2, Issue 2. pp 166 – 184.
[96]Mueller, Susanne D. "Dying to win: Elections, political violence, and institutional decay in Kenya." *Journal of Contemporary African Studies* 29, no. 1 (2011): 99-117.
[97] Ibid

Study conducted show that in an occasion where the winner wins it means more favors to his ethnic group and region as well. The winner's supporters are advantaged to the exposure to public funds and resources while the losers get economically disadvantaged.[98]

That explains why Kenyan politics still runs along the tribal boundaries up to date. Some groupsi.e. the Kikuyu are known to practice oath to vote only a certain individual.[99]"*In some countries, you either win or you're out in the wilderness,*" said E.J. Hogendoorn, the International Crisis Group's deputy director for Africa.[100] In order to escape post-election violence, the losing party must be part of the former government. In connection to the 2007 post-election violence, the constitution placed in the gubernatorial seat to cover up the president from being viewed as the hope for political presentation. It makes big consolation when they lose the presidential seat.[101]

[98]Collier, P. Conflict, Political Accountability and Aid.Taylor and Francis Group. 2011.
[99]Kagwanja, P. &Southall, R. *Kenya's Uncertain Democracy: The Electoral Crisis of 2008. Journal of Contemporary African Studeis.* 2009. Volume 27. Issue
[100]Höglund, K. *Electoral Violence in Conflict-Ridden Societies: Concepts, Causes, and Consequences. Terrorism and Political Violence. 2009.* Volume 21. pp. 412-427
[101] Berg-Schlosser, D. *Political Stability and Development*: A Comparative Analysis of Kenya, Tanzania and Uganda. 2011.

CHAPTER THREE

THE EXTERNAL FACTORS INFLUENCING ELECTION VIOLENCE IN

KENYA

3.1 Introduction

Since 1990, there has been a remarkable adjustment from single-party rule to multiparty elections in Kenyan politics.[102] This shift has been celebrated by many as an indicator that Africa is on a path towards democratization, liberalization and eventually economic and social development. However, the path has not been problem free. Most pressing of these problems is arguably electoral violence of which, there have been several noteworthy instances. The election in Kenya in the summer of 2017, is the most recent one of these.[103]Kenya's elections in general have suffered increasing levels of violence from 1992 to date. This creates tension whenever the general elections get near. Political parties are ever under the influence of the wealthy representing a particular ethnic group. This exposes the country to more suffering to the gain of an individual or an ethnic group.[104]

To add on the IEBC continues to give bias and rigged electoral commission services due to weakened core values.[105]This was further worsened by the assassination of atop IEBC official, an IT manager namely Chris Msando a short period to the election. This led to the opposition leader boycotting the election re- run which was mostly call for violence. This was hindered by Uhuru Kenyatta and Ruto having been allies since 2013. Also the act taken by the ICC after the

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[102] Caporaso, J. "Encapsulated Integrative Patterns versus Spillovers: The Case of Agricultural and Transport Integration in EEC" International Studies Quarterly 14 (4) 1997.

[103] Fearon, J. and Laitin, D. Ethnicity, Insurgency and Civil War, American Political Science Review, (2003). 97(1): 75-90.

[104] Dean. G. Pruitt and Sung Hee Kim, Social Conflict: Escalation, Stalemate, and Settlement, 3rd ed. New York: McGraw-Hill, 2004

[105] Ibid

2007 post-election were another cause for the calmness as less hate speeches were experienced unlike previous years. Although the impact of ICC was unclear as the cases were halted with an immediate effect. The election violence experienced in 2017 were by NASA supporters due to the police killings that occurred during their protests and demonstrations.[106]

The European Union entitled with the Mission of observing elections said that after the poll, a number of people were reportedly killed by the police in response as stated by the Kenya National Commission for Human Rights (KNCHR), Human Rights Watch, the Kenya Red Cross and the Independent Medico Legal Unit by 9th august KNCHR published a comprehensive report that had recorded 37 deaths in 6 days most of them caused by the police.[107] The police did not take responsibility of the 37 deaths but claimed only 6 people were killed during the period and were criminals. Although ethnic groups violence remained low, response by the police units were violent and stood as a problem [108]

Cases of gender-based violence were experienced indicating weakness of the security services. The EU noted down that over twenty CSOs organizations wrote letters citing over sixty letters of sexual violence reported and most done by the police officers. On the 14th of December, a report by HRW showed that most women raped by men in service (police) did not receive any medical attention or even psychological care. [109]

[106] Kwamschetsi, M and Orlale, R. In the Shadow of death: My trauma, my experiences, voices of Kenyan women from post-election violence, Nairobi, 2009.
[107] Ibid
[108] United States Holocaust Memorial Museum, 'Building Democracy from the Ashes of Genocide? Elections in Sudan, 2010', available at , accessed 8 July 2011.
[109] Ibid

3.2 Grievances Relating To Genocide, Crimes against Humanity and War Crimes

Genocide is considered an international crime that involves the murder of members of any given social group or any other actions that threatens the groups' existence, they are in simpler terms known as crimes against humanity. It is the war against civilians which is inclusive of murder, imprisonment, or physical means like rape, torture or the enforced disappearance of people.[110]

On the other end, these war crimes include grave breaching of the Geneva conventions as well as violation of the law including those that are mandatory to application through the international or non-international firms in solving the political/ electoral violence. The crimes are mainly towards the civilians ensuring that the electoral process must suffer the outcomes. This wars creates tensions amongst the ethnic groups causing increase to chances of a war.[111] As well displacement of some people also plays a role in bringing up new conflicts affecting the elections. The displaced people are likely to be subjects of oppression and harassment at the time of voting in leaders. In case this issue is solved and the IDPs return to their areas, it fuels up the old tensions that pushed them out as well as creates new tensions.[112]

In 2010 Rwanda held its presidential election. Rwanda is inhabited by various different ethnic groups. Hutus are the majority while ta group with most few people is Tutsis. This two ethnic groups have gone down in history since colonial times to cause conflict against each. In a genocide happened 1994 in an attempt to exterminate the Tutsis community, over 800,000

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[110] Brancati, Dawn and Snyder, Jack L., 'Time to Kill: The Impact of Election Timing on Post-Conflict Stability', Journal of Conflict Resolution, 24 July 2012, p. 26.
[111] Brancati, Dawn and Snyder, Jack L., 'Time to Kill: The Impact of Election Timing on Post-Conflict Stability', Journal of Conflict Resolution, 24 July 2012, p. 26.
[112] Ibid

people were left dead which uncountable crimes of rape and other gender based issues. [113]

Politics in Rwanda are marked by tensions that never ceased even before genocides. This issue was evident in 2010.[114]On the pre-election period, the government tightened the control of the media programs to ensure no voice from the opposition was aired. Threats were also send to the opposition and their supporting journalists were prosecuted. This also led to the arrest for two individuals vying for the presidential seat.

Sri Lanka had a general election in 2010. They had suffered conflicts involving the government and the Separatist Liberation Tigers of Tamil Eelam for over 26 years. This caused massive displacement of people living in the Northern part of the country. The last stages were even worse just to mention. Though the government has managed to locate the IDPs to their lands or inti new areas, it still remains a great concern in the country.[115] This is the cause for their political situation as well as the struggling peace development in Sir Lanka. They were evident in 2020 pre-election as the candidates, supporters and political activists faced violent attacks from unknown people.[116]

3.2.1 Protracted Conflicts

Conflicts in the previous years are most likely the cause to the violence occurring with every election. Most political leaders as well as their supporters carry over the vengeance. Most of the countries that have experienced conflict are prone to face more scenarios of violence i.e.

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[113] Brun, Cathrine, 'Local Citizens or Internally Displaced Persons? Dilemmas of Long Term Displacement in Sri Lanka', Journal of Refugee Studies, 16/4 (December 2003), pp. 376–97; Norberg, Carin and Obi, Cyril (eds), Reconciling Winners and Losers in PostConflict Elections in West Africa: Political and Policy Imperatives (Uppsala: Nordiska Afrikainstitutet, 2007), p. 7; and Mooney, Erin and Jarrah, Balkees, 'Safeguarding IDP Voting Rights', Brookings Institution and University of Bern, 2005, p. 55, available at , accessed 8 July 2011.
[114] Garrison, Ann, Rwanda's 1994 Genocide and the 2010 Elections, Global Research, 2010, available at , accessed 8 July 2011.
[115] United Nations High Commissioner for Refugees (UNHCR), 2011 UNHCR Country Operations Profile: Sri Lanka, 2011, available at , accessed 8 July 2011
[116] Ibid

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Kenya, Nigeria and India according to SCAD data. [117] Also using the SCAD data, the pre-existing political conflicts few months before the elections are characterized with violence that causes tension. The deaths reported are on the rise and other crimes especially gender related crimes compared to the previous years with no election on the way. In conclusion SCAD noted that holding election calls for violence. Having enough evidence to link occurring violence to preexisting conflicts, the presence of unlicensed weapons and unemployed people are in the peak of joining the violent groups due to their grievances. Some of the elections conducted in the middle of a civil war calls for violence among the people. For instance, a candidate in Angola loss the election in the 1992, this resulted to the candidate forming a rebellion coalition that yielded to violence. Also in Sierra Leone, in 1996, elections led to a war between the civilians and the rebel soldiers. [118]

The 2011 the elections were disputed leading to a dreadful war in Ivory Coast and arrest of the sitting president. Still after all evidence provided, the cross-national facts do not indicate the role of civil wars when election violence is concerned. The elections that are held on an ongoing civil war have a very high likelihood to bring in pre and post- election violence. This clearly calls for postponing the year or dates for election in case there is an ongoing civil war so as to evade violent elections. [119]

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[117] Kurland, Sienna, Rwanda: Violence and Political Oppression Escalating in Months before August Elections (Stoneham: International Institute for Justice and Development, 2010), available at , accessed 8 July 2011; and Human Rights Watch, Kigali, 'Rwanda: End Attacks on Opposition Parties', 2010, available at , accessed 8 July 2011.

[118] Schneckener, 'Fragile Statehood, Armed Non-State Actors and Security Governance', Private Actors and Security Governance (Geneva: Centre for the Democratic Control of Armed Forces (DCAF), 2006).

[119] Chuter, David, 'From Threats to Tasks: Making and Implementing National Security Policy', Journal of Security Sector Management (Cranfield University, Shrivenham), 5/2 (2007), p. 6, available at , accessed 5 July 2011.

3.3 The Presence of Non-State Armed Actors

Non-state armed an actors is a term that describes certain groups or individuals whose main weapon of achievement is violence.[120] In simpler terms they are the rebel fighters, militias, armed clan chiefs, warlords, private security, marauders and event terrorists. Their impact is directly felt in the country and to some points it affects even the neighboring countries.[121] They do not know boundaries and can even seek shelters in neighboring countries from where they can accurately plan their attacks. Their being in a country increase the chances of a violent electoral process by manipulating the results through destabilizing the state.[122] They achieve this by intimidating the political candidates as well as their supporters/voters. The risk of violence erupting is even higher in the case where the authorities do not respond to the security challenges that are posed by this non-state armed actors.

For example, general elections in Colombia were held in 2010, a country that had violent conflicts for more than 50 years because of the effect of the non-state armed actors ranging from FARC to the AUC. Mainly this two groups in hand with minor other groups have caused peace distortion in the political process, making historical repetitions in each and every election before 2010.

Afghanistan is well known for its political instabilities due to the history of Taliban that cause violent attacks on the government people and institutions as well as the civilians.[123]Taliban mostly target the pre-period to election, the candidates, the electoral commission team and the

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[120] Ibid
[121] Schneckener, 'Fragile Statehood, Armed Non-State Actors and Security Governance', Private Actors and Security Governance (Geneva: Centre for the Democratic Control of Armed Forces (DCAF), 2006).
[122] Chuter, David, 'From Threats to Tasks: Making and Implementing National Security Policy', Journal of Security Sector Management (Cranfield University, Shrivenham), 5/2 (2007), p. 6, available at , accessed 5 July 2011.
[123] Ferreira, Delia et al., Dirty Money in Politics: How El Padrino's Contributions Affect Security in Latin America (conference) (Washington, DC: International Foundation for Electoral Systems (IFES), 2011), available at , accessed 5 July 2011>; and International Crisis Group, 'Guatemala's Elections: Clean Polls, Dirty Politics', Policy Briefing, Latin America Briefing no. 24 (Bogota/ Brussels: ICG, 2011), available at , accessed 5 July 2011.

electoral process. To add on, more than ten electoral officers, candidates and campaign workers were abducted with over thirty-one killings on the Election Day. [124]

3.4 Environmental Hazards

Environmental hazards are the situations and affairs in the surrounding that have the ability to destabilize the electoral process.[125] They also cover biological, chemical, and physical hazards, for example the outbreak of a disease or increased incident of HIV/AIDS falls in the category of biological hazards while spillage of chemicals are in the chemical hazard category. .[126]A natural hazard, physical hazard, is are atmospheric phenomena like hydrological issues and wildlife related cases. Such cases interfere with the social well-being causing loss of life and property among other distractions including forced migration.[127]

When these hazards occur, it may invent violence. Elections that occur after such epidemics occur may be faced with diverse challenges depending on the burden of the occurrence. This has a high likely to bring misunderstandings of high levels of unrest with violence prone to derailing the electoral process.[128]

For instance, Haiti presidential and legislative election in 2010 was disrupted by earthquakes and the outbreak of cholera that engulfed the greater portion of the country. It

[124] Ibid
[125] Smith, K. and Petley, David N., Environmental Hazards: Assessing Risk and Reducing Disasters, 5th edn (New York: Routledge, 2009)
[126] Chuter, David, 'From Threats to Tasks: Making and Implementing National Security Policy', Journal of Security Sector Management (Cranfield University, Shrivenham), 5/2 (2007), p. 6, available at , accessed 5 July 2011.
[127] Haughton, Jonathan and Khandker, Shahidur R., Handbook on Poverty and Inequality (Washington, DC: World Bank, 2009), p. 1
[128] Ibid

suffered the blow as a country and the impact was felt all over up to the electoral process. The impact triggered violence during the electoral period.[129]

Uganda suffers the exposure to natural hazards and the 2011 general election was not an exception.[130] Landslides, floods and disease outbreaks caused numerous deaths in the previous year to elections increasing the tension on the already existing political stress. All this issues made the people demand better life from the government that contributed to the violence surrounding the 2011 presidential election. Even though not recorded, there were instances of force used on the opposition leaders and their supporters to bring the situation under control particularly in the country's northern parts.[131]

3.5The Presence of Organized Crime

Organized crimes can be defined as groups that exist for a short period for a certain upcoming event as a mission. Their main aim is to cause violence or disruption to their own gain in terms of finance and other forms. Their mostly used tactic are; kidnapping, human trafficking, as well as arms, drugs and counterfeit goods trafficking and cybercrimes. The organized crime groups affect the security state of a country than any other violent group. They start by aiming various major institutions of the country so that they can take control of them and be able to achieve their objectives. They are able to get control of the institutions by use of corruption and extortion.[132] They make the state unable to deliver effectively to its citizens and then they take

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[129] Chuter, David, 'From Threats to Tasks: Making and Implementing National Security Policy', Journal of Security Sector Management (Cranfield University, Shrivenham), 5/2 (2007), p. 6, available at , accessed 5 July 2011.
[130] Felbab-Brown, Vanda, Shooting Up: Counterinsurgency and the War on Drugs (Washington, DC: Brookings Institution, 2010), pp. 1–12.
[131] Ibid
[132] Dobovs'ek, Bojan, 'Economic Organized Crime Networks in Emerging Democracies', International Journal of Social Economics, 35/9 (2008), pp. 683–7

over the processes illegally.[133]some of the organized crime do not have the objective of being in power politically but are interested in protecting their "business" thus they go to he extend of pocketing the judges, prosecutors, security sectors as well as the local politicians ensuring they are untouchable. In that case they maybe influence violence during the electoral process so as to get in leaders that will keep their territory protected.[134]

Guatemala had its general elections in 2011. It's a country that has being struggling with organized crime for a very long period. It has been hard to eradicate the organized crime has been hardened by the involvement is senior members of the government. The organized crimes majored in the inflow of weapons and drugs in and out of Mexico into the country. The violence levels have increased at an accelerating rate compared to the 36 years armed conflicts. Elections create an avenue for the organized cries to size more power by alliancing with the elected officials in the government posts.[135] The violence experience d in 2011 were a repeat of those that occurred in 2007 election but this time with a greater intensity due to the murder of candidates, their families or the electoral stuff.[136]

Guinea-Bissau presidential elections in 2009 were affected by organized crimes who main objectives were drug trafficking having the country as their route in and out of other countries which in the previous years had increased corruption and violence waves affecting the

[133] Ibid
[134] Dunne, Sean, 'Elections and Security', Focus On, ACE, The Electoral Knowledge Network, 2006, available at , accessed 6 July 2011.
[135] Panner, Morris and Beltrán, Adriana, 'Battling Organized Crime in Guatemala', Americas Quarterly (Americas Society and Council of the Americas), 2010, available at , accessed 7 July 2011; and International Crisis Group, 'Guatemala: Squeezed between Crime and Impunity', Latin America Report no. 33 (Bogotá/Brussels: ICG, 2010), pp. 3–6, available at , accessed 7 July 2011.
[136] Ibid

governance.[137] The process was disrupted when sitting president was killed calling for a new re-election. Despite the peaceful election experience in the country, there was tension all over. A day before the campaigns started, a candidate was reported dead and also some political party members. There were also a number of arbitrary arrests of government officials. [138]

3.6 Changing Power Dynamics Conflicts

Power balance is a fragile feature that is often affected by politics in a country. Processes such as peace agreements, disbarment, demobilization and reintegration and other factors are vital in governance. Lack of reinforcement to most of these activities heightens the levels of tension in a country. These tensions have the capability to rise into violence in case they are not tamed. Due to weak DDR connected to the electoral process, the percentages of a conflict occurring is very high given that the tension were not controlled by the responsible institutions.[139]

Burundi has suffered civil wars from 1993 due to ineffective power balance between the two cultural groups; the Tutsis and the Hutus, at various incidences. There have been various presidential assassination cases, military coup, and amendments of the constitution as well as peace negotiations. In 2009 the DDR started a new process that bore fruits in the 2010 elections. The impact was not as great because the DDR was still new and weak struggling to pick up with the lack of democratic channels in most of the county's responsible institutions. These are just a

[137] Fischer, Jeff, Electoral Conflict and Violence: A Strategy for Study and Prevention, IFES White Paper (Washington, DC: International Foundation for Electoral Systems (IFES), 2002), p. 7, available at , accessed 1 July 2011.
[138] Sisk, Timothy D., 'Elections in Fragile States: Between Voice and Violence', Graduate School of International Studies, University of Denver, Colorado, 2007, p. 7; and Ndulo, Muna and Lulo, Sara, 'Free and Fair Elections, Violence and Conflict', Harvard ILJ Online (Harvard College), 51 (2010), pp. 160, 165.
[139] Ibid

few of the various causes of electoral violence.[140] The major causes are boycotting the elections, attacks and restrictions of some people from participating in the electoral process including political parties.[141]

Timor-Leste held its general elections in 2007. It is noted that the country had political instability in the recent years due to its conflicts with Indonesia and subsequently independence in 2002.[142] These issues have been brought up due to the past colonial issue and social issues experienced up to date in the country and also its political constrains that have led to election perpetrated violence. Different political party supporters to their opponents triggered conflicts encountered in the elections of 2007 elections. It went down into the records that two deaths occurred, over a hundred injuries and more than 7,000 families were reported displaced.[143]

3.7Human Rights Violations

Human rights happen to be the standard principles and norms that all humans are expected to be treated with.[144]A country is blamed to have violated this rights when it fails to observe and treat its every citizen with the expected limitations. If the human rights are not considered in a country because the enforcing law courts are poor, the risk of violence towards

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[140] Sisk, Timothy D., 'Elections in Fragile States: Between Voice and Violence', Graduate School of International Studies, University of Denver, Colorado, 2007, p. 7; and Ndulo, Muna and Lulo, Sara, 'Free and Fair Elections, Violence and Conflict', Harvard ILJ Online (Harvard College), 51 (2010), pp. 160, 165.

[141] Fischer, Jeff, Electoral Conflict and Violence: A Strategy for Study and Prevention, IFES White Paper (Washington, DC: International Foundation for Electoral Systems (IFES), 2002), p. 7, available at , accessed 1 July 2011

[142] Cutter, Ana et al., 'Timor Leste Conflict Assessment: Final Report', Center for International Conflict Resolution (CICR), Columbia University and Fo Liman Ba Malu – Hakat Ba Oin, 31 July 2004, pp. 11, 12, available at , accessed 4 July 2011.

[143] Timor-Leste Armed Violence Assessment (TLAVA), 'Electoral Violence in Timor-Leste: Mapping Incidents and Responses', Issue Brief no. 3, 2009, p. 1, available at , accessed 18 January 2012.

[144] Alston, 'Report of the Special Rapporteur', p. 16; Human Rights Watch, 'Post-Election Iran', 2010, available at , accessed 8 July 2011; and Human Rights Watch, 'The Islamic Republic at 31: Post-Election Abuses Show Serious Human Rights Crisis', New York, 2010, p. 1.

the electoral process are at high stake as violation of the human rights are at the peak.[145] For instance, improper guidance and training of the police on how to handle the crowd and the amount of force to be used in case of anything can lead to violence.[146]

During the Iran presidential elections in 2009, the state was blamed for its lack of human rights observation. The police tortured the citizens and used other means of degrading the m like flogging them as a mean to restore peace and order. They went to the extent of publicly executing some people. They suppressed the public of its rightful human rights[147] these kind of abuse of human rights affect the whole political system up to the elections. The electoral process was followed up by violent protests after the results were announced. The violent clashes between civilians and the police resulted into numeral killings, more torture and violation of human rights too.[148]

In the 2010 Cote d'Ivore presidential elections, the conflicts that occurred in a violent manner were mostly geared up by the exploitation of people's rights as well as abuse of law in the country since 2002. The abuse of people's rights may be as result of excessive use of force by the security authorities. They did not use the required and expected means to bring in peace but opted to use harassment and extortion.[149] The abuse was more intense in the 20110 presidential elections when the incumbent president didn't accept the defeat and wanted to remain in the position. The grave experiences were during and even after the elections which had

[145] Alem, Yasmin, Duality by Design: The Iranian Electoral System (Washington, DC: International Foundation for Electoral Systems (IFES), 2011), p. 52
[146] Ibid
[147] Steiner, Henry J., 'International Protection of Human Rights', in Malcolm D. Evans (ed.), International Law, 2nd edn (Oxford: Oxford University Press, 2006), p. 772.
[148] Krug, Etienne G. et al. (eds), World Report on Violence and Health (Geneva: World Health Organization, 2002), p. 37, available at , accessed 12 July 2011
[149] Ibid

over 3oo people dead with a high record of abductions, sexual harassment, disappearance, detention and thousands of people displaced out of their ancestral lands.[150]

3.8 International Causes

There are various international matters that are core to predicting electoral violence. The international aid should aim at preventing the pre and post- election violence through various directions. This includes guiding or controlling political parties, media houses, election officials in the right directions as to curb any causes or cover up the loop holes that directs into violence. The international aid main objective should be in helping in the electoral commission to ensure that there is no rigidness in the process as well as there is transparency and truth in the deeds. They should also ensure that the process is fast so as to lower the time that creates tension among the supporters and also prevent rumors from extending during the post-election period. This will ensure that the procedure is smooth and trustable by the public[151]

There has been presence of international election monitors since 1990 especially in countries new to democracy. There are several reasons as to why the incumbent government should allow monitors to observe the electoral process to ensure proper conduction. The monitors help to lower the chances of pre-election protest due to the positivity installed into them by the people. These aid pull down every effort of the sitting government to manipulate the process or the results. However, in the presence of international observers the chances of electoral fraud is down to zero lowering any government-sponsored post-election violence.

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[150] nternational Crisis Group, 'Kenya in Crisis', Africa Report no. 137 (21 February 2008), p. 9, available at , accessed 1 September 2011.
[151] Roberts, Mara J., Conflict Analysis of the 2007 Post-election Violence in Kenya (Charlottesville, Va.: New Dominion Philanthropy Metrics, 2009), available at , accessed 30 June 2011; and Institut Français de Recherche en Afrique (IFRA), The General Elections in Kenya 2007, Les Cahiers d'Afrique de l'Est, no. 38 (Nairobi, 2008), pp. 2, 11, 172, 202, 227, 228, 369.

Contrary, the government may still employ other means to stir up violence even after they allow the international observers to oversee the electoral process. Additionally, the government misuses its power to manipulate the results under the eyes of the observers [152] when this happens in the eyes of the monitors and the crown sniffs something fishy happened, it erupts into violence. In various incidences observed in Africa where results are manipulated in the presence of the overseers, it was reported that violence related to election results were more intense. The opposition also claims that the monitors bended towards the incumbent government side as they have more power to manipulate the process and results. This heightens the likelihood of the opposition to protest calling for violent crackdown from the incumbent. [153]

The international observers promote the opposition sponsored protests as it seems like the only way that the observers can lend an eye to the opposition. Opposition employs this tool as well as to be captured by the international cameras for the international audience. When this works out, the eyes of the observers are directed on the incumbent over the concerns registered by the opposition. Post-election violence are so much at the verge of happening if the observers report that the results have been manipulated. [154]

Also by checking into records, elections conducted by international observers are reported to have more incidences of killings as compared to those without. The idea behind that

[152] Alston, Philip, 'Report of the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions. Addendum: Electionrelated Violence and Killings', UN document A/HRC/14/24/Add.7 (18 May 2010), p. 38, available at , accessed 1 September 2011.

[153] Carnegie Mellon University, 'Conference to Mitigate Violence in Liberia's 2011 Electoral Contests: Resolution', Monrovia, 2010, p. 2, available at , accessed 30 June 2011.

[154] Ibid

s "*there may be greater incentives to provoke violence as a way to draw international attention and discredit elections that a group does not think it can win*".[155]

Another factor is that the incumbent government might lose the access to international aid or damage international relations in case of violence and they are accused to be responsible. Some regimes may still find a way to stand confident and be able to avoid the any sanctions in the order that their local political objectives concur with those of key international powers.[156] These are some of the considerations that the USA government uses to guide its considerations. Egyptian authorities have its means to control the Muslim brotherhood as it is the cause of domestic violence that made them coincide with the American security. This would have caused issues between Egypt and Washington due to excessive force used against the Muslim brotherhood and its sympathizers too.[157]

Also the application of law against violence initiating leaders by the International Criminal Court (ICC) might be another reason as to why political leaders maybe avoiding issues that can lead to electoral violence. In the 2007-2008 post-election related violence, the ICC identified six individuals linked to the wake of the violence. In addition, Laurent Gbagbo, Cote d'Ivoire presides was held responsible of the 2011 post-election violence that were experienced. However, the case against the Kenyan violence suspects didn't lead to any reasonable results as

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[155] Höglund, K. *Electoral Violence in Conflict-Ridden Societies: Concepts, Causes, and Consequences. Terrorism and Political Violence. 2009.* Volume 21. pp. 412-427
[156] Ayoob, M. The Third World Security Predicament: State making, Regional Conflicts and the International System. Boulder, CO: Lynne Rienner, 1995.
[157] Ibid

the case ultimately collapsed as well as the Gbagbo case. That leaves a question as to whether the ICC will serve as a solution to this issues.[158]

3.9 European Commission (EC's) Lack of Control over the Election Administration

Allegations have it that the electoral process related violence occurred due to the European Commission not taking control of the whole process. The blame lies on the government officials for not involving the EC to ensure a fair and peaceful election. The government officials respond that they have no power over the EC and the expectation is that they come in the process and offer help. In case they don't check in fully, irregularities are prone to occurring. On the matter at hand, it's stated that the EC asked for coordination from the government officials on cells at the districts and Upuliza levels led by DC/ADC and the UNO only.[159]

Local police are also part of these groups that are given responsibilities as far as electoral violence is concerned. In Bangladesh, local police have to side with the members of parliament elected and other leaders in power. This is because these leaders mostly determine the places of work they be posted in.[160]in such circumstances, the EC cannot work alone with DC/ADC and UNO as the leaders of the committee as these may cause conflict with the judiciary and security forces. It is vital for the EC to partner with the security force in the whole electoral process.[161]

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[158] Huntington, S. The Third Wave: Democratization in the Late Twentieth Century. Oklahoma: University of Oklahoma Press. 1991.

[159] Friedrich Ebert Stiftung and Centre for Conflict research. Political and Electoral Violence in East Africa. Nairobi. 2001.

[160] Ibid

[161] Caporaso, J. "Encapsulated Integrative Patterns versus Spillovers: The Case of Agricultural and Transport Integration in EEC" International Studies Quarterly 14 (4) 1997.

3.10 Institutional Weaknesses

Political institutions are viewed as the guide in coordination of political behavior. At some instances, there exist differences between the democratic and political institutions. Violence maybe thought or viewed as the strength of the democratic institution but it's noted that country with strong democratic institutions experience many violent conflicts compared to the weaker.[162] Evidence prove that there is no single connection between the strength of the democratic institution and electoral violence occurrence. In the presence of strong democracy and political institutions, the likelihood of violence to occur is minimal compared to hybrid state. It is evident that in consolidated authoritarian regimes that any challenges will be taken out in advance before they can affect the electoral procedure. In case it's a multiparty election being held, the incumbent government can be voted in for another term without any fear resorting to violence. It will also be easy for the opponents/loser to accept the outcomes in a peaceful manner.[163]

In a case where the hybrid regimes differ from consolidate authorities, it is their power to handle the accusations. In the case of a consolidated democracies and electoral malpractices are experienced, the mass respond peacefully through boycotting, demonstrations, and strikes. As well, the leaders are more likely to accept the outcomes if it is a defeat. This is because rules and laws must have been observed and the trust in the public. In hybrid regimes,the team of electoral commission lacks people's trustand thus the political leaders are in a better position to claim

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[162] Azar, E and J. Burton. International Conflict Resolution: Theory and Practice. Boulder, CO: Lynne Rienner, 1986.
[163] Ibid

nalpractice even if there is none. [164]In such circumstance even minor mistakes in the electoral process is likely to be termed as an avenue to rig the results resorting to violence.

.[165] A huge distinction is normally drawn between proportion representation (PR) laws and majoritarian electoral laws. Majoritarian systems such as the United States and the United Kingdom legislature members get selected from one-member districts and the contestant that gains the majority votes is accorded a legislature seat. Voters that support candidates who have lost are not allocated any form of political representation within the legislature. In addition the minority parties, which are unable to gather a plurality or majority in any given constituency, are denied any seats. This signifies that minute political parties and other interest groups representing people are not included in making policies within the legislature.[166]

On the other hand, in PR systems, the main makeup of the legislature hugely signifies the proportion of votes gathered by each party in the midst of the electorate. In these systems, smaller parties are able to garner at least some representation at the national level, giving them a voice on the national political sphere.[167]

One of the key reasons why South Africa has witnessed reducing amounts of electoral related violence since 1994 is due to its PR voting system that allows the representation of minority parties in the legislature irrespective of the dominance of the African National Congress. Using cross-national data from African countries, since 1990, electoral violence has

[164] Branch, D. *Democratization, sequencing, and state failure in Africa: lessons from Kenya. African Affairs.* 2008. Volume 108. Issue 430. pp 1-26.
[165] Kwamschetsi, M and Orlale, R. In the Shadow of death: My trauma, my experiences, voices of Kenyan women from post-election violence, Nairobi, 2009.
[166] Sisk, T.D. *Elections in fragile states: Between Voice and Violence.* Paper prepared for the International studies Association Annual Meeting, San Francisco, California, March 24- 28, 2008 Souaré, I. K. *Electoral Violence and Post-Electoral Arrangements in Africa.African Renaissance.* 2008. Volume 5 Issue 3 & 4.
[167] Gareth Evans, The Responsibility to Protect: Ending Mass Atrocity Crimes Once and for All. Washington, DC: Brookings Institution Press, 2008.

often been encountered in those countries that employ majoritarian electoral rules.[168] The authors argue that "the winner-takes-all dynamic and the high political premium awarded to the largest party under majoritarian rules imply that the electoral stakes are higher than they are under PR systems, where electoral outcomes tend to disperse the nodes of political power across a broader range of groups".

In other words, since majoritarian electoral laws got the ability to exclude large minorities from political power positions, the price of not winning in such systems are relatively higher, potentially leading to a greater desire to use violence to garner seats. The nature for majoritarian electoral procedures not to include huge ethnic minorities may be particularly cumbersome. Where "political elimination follows tribal lines, exclusion is specifically likely to enhance the development of contradicting issues and encourage political mobilization". This can in one way or the other boost ethnic voting and hence increase the incentives for politicians to form their campaigns around exclusionary ethnic rhetoric. Various types of 'preferential voting' systems can help mitigate conflict where election violence is founded around ethnic lines.

These are systems whereby the people vote in order of preference for a given party or candidate, depending on the system. These are commonly regarded as alternative vote (AV) or single-transferable vote systems.[169] In majority of such systems, politicians will have to depend on the votes from those people who would otherwise not have selected them as first-choice candidates, but did choose them as a second or third-choice candidate. The idea is that this necessitates politicians to appeal outside their personal ethnic groups rather than simply dare to

[168] Ibid

[169] Souaré, I. K. *Electoral Violence and Post-Electoral Arrangements in Africa.African Renaissance*. 2008. Volume 5 Issue 3 & 4.

maximize turnout in their own ethnic groups. Preferential voting has minimized violence in countries such as Northern Ireland, Papua New Guinea, and Fiji.

African political systems that call for candidates to build support outside of their personal strongholds through majorities rather than simple pluralities may be less susceptible to high violence levels. When just simple pluralities are necessary, candidates can win with relatively small shares of votes, and the benefits of propagating election violence may be more than the costs associated with alienating supporters of other candidates. Beyond voting laws, the laws designating powers to the legislature over the presidency matter for electoral violence.- They suggest that in instances where parliaments have the legal authority to check the power of the executive, that executive has larger incentives to use violence to ensure a sizable majority. Egypt under Hosni Mubarak and the National Democratic Party (NDP) serves as a useful example. In Egypt at the time, the parliament was "constitutionally endowed with significant legislative and oversight powers which, if left unchecked, could hugely endanger the foundations of authoritarian rule". Mubarak thus had no qualms about employing violence to ensure that the NDP's majority in parliament was never seriously threatened. [170]

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[170] Caporaso, J. "Encapsulated Integrative Patterns versus Spillovers: The Case of Agricultural and Transport Integration in EEC" International Studies Quarterly 14 (4) 1997.

CHAPTER FOUR

JUST, DEMOCRATIC AND PEACEFUL ELECTION

4.1 Introduction

Elections constitute some key ingredients of any democratic procedure. They create room

for peaceful and transparent change of government and power allocation. Because of this reason,

a particular emphasis on democratization as a key component of sustainable peace rose among

circles of international policies in the beginning of 1990s. The idea of supporting peace building

in conjunction with democratization developed as a result of the recognition the political

alienation and discrimination often is the key reason groups took to arms in the first place.[171]

Hence, democratization not only open up for exhibitions of political obligations, but is also a

response to handling the actual main of dispute. Support to boost institutional capacity to

enhance democratic norms and to ensure democratic rule of law is now seen as crucial for

building peace. Elections and promotion of democracy have thus become integral strategies to

make peace in countries disoriented by forceful conflict.[172]

Yet practices and latest historical research insinuate that democratization in transitional

or war driven countries, and elections specifically, can become an obstacle rather than a solution

to the process of making peace. In fact, elections can give rise to conflicts over containing them.

For somemotives, force can be alucrative offer to impact the electoral procedure and results. In

intermediate and war-ravaged nations, occupants are often working or believed to be interfering

with the electoral procedure. [173]

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[171] Weinberg, L. *The Democratic Experience and Political Violence.* Routledge. 2000.
[172] Benedickt, "*Competing Regionalism in Africa and the Continent"s Emerging Security Architecture*", African Studies Quarterly, vol. 9, Issue 3, 2007.
[173] Sorrenson, M. *Origins of European Settlement in Kenya.* Nairobi: Oxford University Press. 1968.

The opposition political parties got inducements to enhance their strength by the use of violence.[174] Spoiler groups intending to disrupt the election may use violence to prevent the election from happening or to ensure that the election outcome is declared null. Such violence has potential damages for democratic procedures and can hinder growth towards democratization. Electoral conflicts over immediate implications such as deterring people from voting and curtailing candidates from engaging in the election can bring about long-term effects of bringing disenchantment and obstruction with politics. [175]

The presence or absence of political clashes over an electoral process is also key to assessing the viability of an election. From a perspective of preventing crisis from setting in, low amounts or localized fights can function as a 'dojourn' for higher intensity violence campaigns such as civil wars. Controlling election-propelled violence, thus, is paramount in the future effort towards a stronger, peaceful and free society, depending on the rule of law, transparency and accountability.[176]

4.2 Efforts and Mitigation Strategies

Numerous methods are applied to prevent and manage electoral clashes. Such strategies applied by different actors in various degrees.[177] The actors entitled to preventing and managing electoral challenges include international and local observer and monitoring missions; additionally, there are the national missions associated with local and regional conflict resolution and negotiation. The organizations engaged in these activities vary from political parties, public

[174] Mehler, A. *Votes, Money and Violence. Political Parties and Elections in Sub-Saharan Africa.NordiskaAfrikainstitutet,* Sweden. (2007). University of Kwazulu-Natal Press, South Africa.

[175] Ibid

[176]Huang, Jennie, and Corinne Low. "Trumping Norms: Lab evidence on aggressive communication before and after the 2016 US presidential election." *American Economic Review*107, no. 5 (2017): 120-24.

[177]Page, Kathleen R., and Sarah Polk. "Chilling effect? Post-election health care use by undocumented and mixed-status families." *New England Journal of Medicine* 376, no. 12 (2017): e20

authorities, an electoral commission, religion based organizations, non-governmental organizations (NGOs), civil societies and traditional authorities such as clan leaders or chiefs.

Five key forms of strategies are identified in this study. Firstly, the availability of monitors is key in curtailing electoral clashes through shaming and naming devices and by creating publicity of tensions building up. Second, arbitration can be conducted in situations of high-tension to settle a proceeding election-affiliated dispute. Third, the constitutional structure and organizational design creates room for the basis of countering wrong doings and for creating situations discouraging violence. Fourth, law implementation identifies the hindering duties of security arms. Fifth, voter-oriented strategies emphasize the significance of long-term deterrence though the integration of democratic traditions and broadmindedness in the overall society.[178]

4.3 Presence of Monitoring

Violence resulting from electoral processes commonly begins before their commencement. In particular grounds politicians are the potential objects of political clashes. Citizens in the overall may feel restricted to freely and openly voice political views, take place in public gathers, and arrange themselves in a political manner. Besides limitations of political rights, the implications of such an accommodating environment include complexities in holding politicians responsible.[179]

Electoral clashes should to be addressed progressively. Conventionally, some focus is placed on general and national elections. For example, electoral clashes monitoring, citizen's,

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[178] Alston, 'Report of the Special Rapporteur', p. 16; Human Rights Watch, 'Post-Election Iran', 2010, *available at*, accessed 8 July 2011; and Human Rights Watch, 'The Islamic Republic at 31: Post-Election Abuses Show Serious Human Rights Crisis', New York, 2010, p. 1.

[179] Carnegie Mellon University, *'Conference to Mitigate Violence in Liberia's 2011 Electoral Contests: Resolution'*, Monrovia, 2010, p. 2, available at , accessed 30 June 2011.

and party education programs are focused on the duration prior to such elections. Nevertheless, by-elections are often more exposed to clashes than the general elections. Alternatively, violence may also happen in the midst of elections. Therefore, to manage and seriously control the origins and implications of violence, a plan for electoral violence supervision especially watching and voter-centered strategies need to be conducted on a long-term basis and progress in the midst of general elections.[180]

While national institutions, civil societies and politicians are the key to fair and peaceful elections, the international community is entitled to several things to support their efforts. Among them are to hire witnesses to observe technical shortcomings and spot coercion, derogative speech and other kinds of election clashes. Foreign diplomats may also harmonize with local leaders and motivate candidates to call for limitation, and come up with the appropriate reforms.

When it comes to the front of security, the international observers may become a back up to security training and coordination programs to reinforce the professionalism and independence of police generals, seeing to it that they honor the rights of a harmonized assembly. Donors ought to invest in accommodating movement-building strategies and skills.[181] It is particularly crucial to raise the voices the leaders of civil community working to hinder election clashes, and amicably cater for the exclusionary practices that led to its emergence in the pioneer incidence.[182]

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[180] Felbab-Brown, Vanda, Shooting Up: Counterinsurgency and the War on Drugs (Washington, DC: Brookings Institution, 2010), pp. 1–12.

[181] Cutter, Ana et al., 'Timor Leste Conflict Assessment: Final Report', Center for International Conflict Resolution (CICR), Columbia University and Fo Liman Ba Malu – Hakat Ba Oin, 31 July 2004, pp. 11, 12, available at , accessed 4 July 2011.

Elections have never been faultless, and there are hindrances to internal engagement given the understandings about foreign snooping. The notion of selecting sides may rapidly fail and deter future access. But, peaceful action in backing of a self-governing election commission, a proficient police force, and a civil society adept of dialogue and orderly collective measures would go a great step to ensuring that elections are free, peaceful and accommodating.[183] Widespread and timely electoral violence monitoring can help combat impunity while recognizing probable risks and moves for security agencies, government authorities and political contestants to address. While network of hundreds or thousands of educated, professionalized viewers, nonpartisan citizen election controlling organizations are well positioned to play key roles in war monitoring and mitigation. Citizen election observers can ensure that violence controlling is incorporated over all aspects of election handling, including during official election processes, and not treated as a separate and unrelated occurrence.[184]

People election coordinating groups also have multiple other comparative advantages, including that they: maintain an established nonpartisan profile and garner the trust of the public as independent and neural stakeholders; usually aim to have a nationwide presence, including state and local branches; often link large, diverse communities of interest, geographic, religious, crossing ethnic, cultural, and other divides and typically mobilize large numbers of youth and women; have existing internal decision making, staffing, training and communication structures; usually deploy long-term observers (LTOs) throughout the country to country to monitor the pre-election, during elections and post-election environment and processes; have accreditation and

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[183]Abbink, Jon, and Gerti Hesseling, eds. *Election Observation and Democratization in Africa.*Basingstoke: Macmillan Press, 1999
[184]Snyder, Jack. *From Voting to Violence.* New York & London: W.W Norton & Company, 2000.

access to key political processes during which violence can occur; can be deployed in muck larger numbers and for longer periods of time than international observer; can link with violence monitoring, mitigation and mediation efforts of other citizen organizations and governmental authorities; and serve as technical authorities on the election process with knowledge and data that can help dispel rumors by providing facts based information.[185]

Incorporating targeted violence monitoring and mitigation strategies and tactics into an election monitoring effort requires a more complex approach to developing the overall observation strategy, greater financial, human and time resources, and additional logistical and security considerations.[186]Also, it is important to keep in mind that while citizen observer groups 'role in controlling electoral violence can be critical, they are only one of key actors that are essential to addressing the causes and triggers of violence. For example, administrations and governments must play critical roles in handling the underlying issues.[187]

Observer groups have a number of issues to consider when planning violence monitoring and/or early warning systems programs. This includes determining the group's obligations, evaluating underlying strains and grounds of violence in the nation, identifying potential triggers or flashpoints during the electoral cycle, defining specific indicators of early warning signs and violent acts to monitor, identifying high risk geographic areas and developing an observation methodology and deployment strategy that takes all of this into account.

Violence accruing from electoral processes commonly begins way ahead of elections. In particular places, politicians are the potential objects of political violence. Citizens at large may

[185]Sisk, Timothy D. *International Mediation in Civil Wars: Bargaining with Bullets.* New York: Routledge, 2009.
[186]Collier, Paul. *Wars, Guns and Votes: Democracy in Dangerous Places.* London: Bodley Head, 2009.
[187] Edward Newman, Humanitarian Intervention: Confronting the Contradictions. New York: Columbia University Press, 2009.

feel restricted to openly and comfortably air political views, participate in public forums, and shape themselves politically. Moreover, to denial of political rights, the magnitudes of such an unsafe atmosphere include problems in holding politicians responsible.[188]

Electoral clashes need to be endlessly addressed. Adventurously, there is a lot of focuson general elections. For example, electoral violence monitoring, citizens, and party teaching programmed are intense on the duration ahead of such elections. On the contrary, by-elections are often even more exposed to violence than the actual elections, and violence may also happen between elections. Consequently, to counter and accomplish fully the causes and impacts of violence, a strategy for electoral violence control— especially checking and voter-oriented strategies need to be conducted on a long-term conditions and progress between general elections.[189] Experts and lawmakers on electoral clashes management should: Conduct the foundation for curtailing violence during interim periods; help political party growth, citizen instruction and media engagement; progressively monitor delicate areas during and particularly around any by-elections and assign adequate resources for upholding monitoring capacity between elections.

4.3.1 International Assistance

International aid focuses on international viewers, meaning non-partisan or international specialists who are detached and nonaligned to oversight the process of elections.[190] Whenever mal-practice is carried out, corruption is identified or another form of 'injustice' is viewed in the

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[188]Reilly, Benjamin. "Post-Conflict Elections: Constrains and Dangers." *International Peacekeeping*, 9 no. 2 (2002): 118-39.

[189]Fischer, Jeff. "Electoral Conflict and Violence: A Strategy for Study and Prevention." *IFES White Paper*, 2002.

[190] Ibid

process of elections these observers will emphasize on this and report about it. In a way, one can see international aid as a method of controlling the occurrence of election fierceness. The shortcoming with international aid is that foreign observers are commonly disallowed into the country. And when they are allowed to get in, they are constrained to election events, creating a gap for rigging. [191]

Put in a stronger manner, 'in numerous occasions the countries carrying out elections fail to request foreign observers, who could in some case be unlikely to attend, for fear to be perceived as endorsing the election outcomes'.[192]On the other side of the coin here is that, it becomes more regular that supervision missions that get into the country simply act as a rubber stamp. This has a negative and unwanted effect as the monitoring mission more or less approves faulted elections. The United Nations (UN) has come up with three key types of international assistance: election observation, technology assistance, and other assessments, and coordinating or administration of elections.

Firstly, there is technical assistance, majorly 'covers a variety of long term and short term expertise issued to national establishments in charge of conducting elections in their country. Precautions and support are provided in all departments of electoral administration'.[193] This type of aid has developed promisingly over the previous years and constitutes helping the nature of, for example, the review of electoral regulations and laws, resolution of electoral dispute, registration of voters and electoral planning and administration. [194]

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[191] Garrison, Ann, Rwanda's 1994 Genocide and the 2010 Elections, Global Research, 2010, available at , accessed 8 July 2011.
[192] Ibid
[193] UN, Types of Assistance, 2011
[194] Garrison, Ann, Rwanda's Genocide and the 2010 Elections, Global Research, 2010, available at , accessed 8 July 2011.

The second type, election observation and other assessments, responds to enquiries for the United Nations to assess and sometimes validate the authenticity of a process of elections. 'These commands are not common. They can act as an extra tool for national actors to counter a confidence crisis in a process of elections and provide interested UN organs with an assessment of the process for their plans'.[195]

The third form of supervising or organization elections is highly uncommon. In such situation, the UN could be entirely entitled to making arrangements. This type was practiced in the previous years, but all in all the UN has a subordinate responsibility and this is only be applicable in very insecure circumstances in times of transitions.[196]

The UN offers effective assistance to the construction of a strong political and voting system. This comes with some advantages to the wellness of the given nation, not only for the facts that its political societies become stronger, but also due to 'only when new valid political organization has been formed shall the foreign presence be minimized'. Accountability and transparency in electoral and political systems has an influence the emergence of violence. [197]

The government of Kenya was quite open to the idea and urged the United Nations Development Program (UNDP) to offer help in the elections conducted in 2007. The UNDP Kenya came up with a program to boost the total capacity of the ECK. Many donors including Denmark, Finland, Norway, Canada, the Netherlands, Sweden, The EU, the UK and the USA

[195] UN, Types of Assistance, 2011
[196] Ibid
[197] Joshi, Madhav, Erik Melander, and Jason Michael Quinn. "Sequencing the peace: How the order of peace agreement implementation can reduce the destabilizing effects of post-accord elections." *Journal of Conflict Resolution* 61, no. 1 (2017): 4-28.

supported it. The two key objectives needed to acquire an autonomous valuation of the elections as credible and to boost the turnout of voters.[198]

The Kenyan government also welcomed the European Union Election Observation Mission (EU EOM).[199] They were present from the 14 of November to the day elections happened. At first glance, this seems to be a promising sign; nevertheless, in the assessment report the EU EOM states, 'EOM viewers were generally welcomed by agents of parties and election officials as well as voters at the polling stations. At the tallying centers, however, they faced problems of information access, especially in the then Central Province. Credibility was not fully adhered to the national level either. At ECK HQ, the EU EOM electoral expert was denied access into the tallying room on a number of instances, despite elaborate and public directives from the ECK chairperson that he be allowed accesses.[200]

It is thus not guaranteed that the presence international observers ensure open and genuine elections. One could view it as a comforting of the people before to cast away doubts. After the elections, however, which remains the very crucial part, when announcing the results, no foreigners in the form of diplomats, media people, or other 'outsiders' were granted access.[201]

4.4 Mediation

In the situation of resolving conflicts, mediation happens to be one of the measures that any organization may use to resolve disagreements. Mediation includes the presence of a

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[198] UNDP, Media and Elections, 2008

[199] Sisk, T.D. *Elections in fragile states: Between Voice and Violence.* Paper prepared for the International studies Association Annual Meeting, San Francisco, California, March 24- 28, 2008.

[200] Sisk, T.D. *Elections in fragile states: Between Voice and Violence.* Paper prepared for the International studies Association Annual Meeting, San Francisco, California, March 24- 28, 2008.

[201] Carnegie Mellon University, '*Conference to Mitigate Violence in Liberia's 2011 Electoral Contests: Resolution* ', Monrovia, 2010, p. 2, available at , accessed 30 June 2011.

nonaligned third party who is entitled to helping the parties solve their disputes amicably. The vital concepts affiliated to mediation ensure that the encounter can be determined at any domain within the institute. Several principles form the foundation of the mediation process such as the process confidentiality, neutrality of the mediator, and self-government of the gatherings, which ensure the effectiveness of the process. [202]

Additionally, the process establishes a framework of fairness to address the difficulties that often lead to the emergence of conflicts such as power disproportions to be dealt with. Neutrality idea is cherished in the way of mediation.[203] The mediator is an unbiased person and thus neither does he have a stake in the dispute or its outcome, nor any inappropriate link to either of the parties involved in the dispute. Furthermore mediators are often guided by codes of conduct by the principle that restricts the presence of a battle of interest. Some codes of conduct even consider any interest to be a complete bar to mediating a dispute. Mediation is a confidential process that is maintained on the two levels. Firstly, the whole procedure is intimate. It is guided by legislation in some Caribbean countries such as Trinidad and Jamaica who have implemented regulations and statutes in relation to mediation. [204]

The Mediation Act of Tobago and Trinidad for example Section 12 (1) gives a qualified mediator who has been engaged in the mediation process resistance from suit in relation to an act conducted or missed to be done in the road of mediation.[205] This is crucial for participants as there is the necessity for them to be aware that the entire process is protected and the mediator is trustworthy. In addition, another measure of privacy is that the intermediary always ensures there

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[202]Paris, Roland. *At War's End: Building Peace after Civil Conflict*. Cambridge: Cambridge University Press, 2004.
[203]Lyons, Terrence. *Demilitarizing Politics*: Elections on the Uncertain Road to Peace. Boulder: Lynne Rienner Publisher, 2005.
[204]Kumar, Krishna ed. *Post conflict Elections, Democratization, and International Assistance*. Boulder & London: Lynne Rienner Publishers, 1998.
[205] Ibid

is a comprehension regarding how information revealed in a private function of a party is to be handled. In this juncture, when both parties conduct a private meeting and decide to keep all information private, the mediator can only reveal information that is allowed by the party. [206]

Another formational principle guiding mediation is the idea of self-determination. The mediator guides the move or helps the parties to reach their own conclusion; any agreement reached by the parties must hence be unique to their situation. The mediator serves to assist the parties determine the key terms of the agreement. The professional mediator can hence help the parties to reach a conclusion that is acceptable under their personal conditions, however, the parties are the ultimate decision makers. In any conflict, its causes can be obscure beneath the perceptions, emotion, and arguments agenda of the parties among others. The mediator must separate the issues and make them elaborate to the parties and engage them through their negotiations on the way forward. This distinguishes mediation from procedures such as negotiation whereby parties are entirely engaged in the process and the negotiator coordinating the process has to work to see to it that both parties are entirely dedicated to the issues, and their fundamental concerns and needs. Furthermore, negotiations commonly fail due to parties positional bargaining that may create an impasse. [207]

Power Imbalances may reveal themselves in a situation whereby a party has more control in terms of resources that could manipulate the process, leading in a situation where the opposing party is placed in a lesser situation. Aprofessional mediator sees to it that the procedure is uncompromised, and that that the power inequities are articulated in a manner that the parties

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[206] Jarstad, Anna and Timothy Sisk, eds. *From War to Democracy: Dilemmas of Pacebuilding* : Cambridge University Press, 2008.
[207] Höglund, Kristine, Anna Jarstad and Mimmi Söderberg Kovacs."The Predicament of Elections in War-Torn Societies." *Democratization* 16, no. 3 2009: 530-57.

may reach to a just and fair settlement. Furthermore, while settlement can be among the goals in mediation, one of the strengths of the mediation procedure is that it offers a chance for relationships to be restored and rebuild in the institution.

The professional mediator not just educates on the concerns and needs of each party but also aids in proper communication. There are varying dispute levels within an institution.[208] These include among others employee to management, employee-to-employee, or employee to customer. Intervention is also applied in relation to industrial conflicts or in the situation of the procedures of grievances within the organization. Companies can hence be articulate in how this process is conducted to boost and enhance internal structures for disagreement resolution. Training major personnel in resolution skills must hence be taken as precedence. As conflict is inevitable in any scope, mediation offers a tool, once applied efficiently will lead, in conflict management in an effective manner.[209]

The diversity of actors engaged in management and prevention of electoral chaos calls for great role division and coordination among international and local actors and amongst the foreign performers. The pervasiveness of engaging ranging participants in electoral conflict management and security means there is some probability of intersection. Unfortunately it is not guaranteed against some sections to be neglected. Such are common gaps because of inadequate coordination in the division and planning of duties and key segments for violence handling. There are multiple promising examples whereby electoral observation is coordinated between local and international organizations and thousands of civil community institutions to

[208] Ibid
[209] Cutter, Ana et al., 'Timor Leste Conflict Assessment: Final Report', Center for International Conflict Resolution (CICR), Columbia University and Fo Liman Ba Malu – Hakat Ba Oin, 31 July 2004, pp. 11, 12, available at , accessed 4 July 2011.

successfully conduct an election. When an autonomous, commission for elections has legitimacy and capacity; such a unit is specifically suited for such synchronizing activities. However, the lack of adequate harmonization remains an encounter in many instances of violence related to elections.[210]

There also comes the risk that varying activities and measures carried out for electoral safety may emasculate one another. For example, the utilization of security agencies could be important during an election, consequential in backups getting into areas in where they do not have advance knowledge regarding the ordinary context. While this is likely to boost the security size agencies to act in a highly independent and neutral manner, it could have some drawback of underestimating current network of contracts and ordinary police. For such reason, it becomes crucial that measures to enhance security consider running networks of capacities and knowledge, and are performed in conjunction with fellow actors operating in a similar or same area.[211]

Practitioners and decision makers of electoral violence control ought to : Device electoral clashes control in cooperating with other peace building measures to eliminate undermining the activities of other actors; advocate for multinational violence controller as well as peace moves to gather information on people's peace building initiatives to identify more needs for managing conflicts prior to and in the process of an activity, mission or event; In cases of well-developed civil societies, boost relevant networks to carry out the varying tasks and support a self-reliant

[210] Sorrenson, M. *Origins of European Settlement in Kenya. Nairobi:* Oxford University Press. 1968.
[211] Carnegie Mellon University, '*Conference to Mitigate Violence in Liberia's 2011 Electoral Contests: Resolution*', *Monrovia, 2010,* p. 2, available at , accessed 30 June 2011.

electoral body to search and evaluate varying capabilities among participants for particular tasks.[212]

4.5 LegalFramework and Institutional Design

The permissible outline constitutes of the constitutional requirements, legislature, instructions, principles and measures that oversee the electoral system structure, the formation of electoral bodies and institutions as well as the execution of voting activities. An all-encompassing, concise, fair and unconcealed permissible and organizational framework that institutes in itself a huge move towards peaceful and successful elections. [213]

This incorporates provision of backing in the implementation and design of legal structure to minimize fundamental propagators of clashes. It is important to design a legal framework constituting broad support among competing candidates and parties.[214] USAID claim that the lawful charters most applicable for electoral safety are majorly from constitutions; electoral legislation; peace deals; equality legislation; protection of women , and land possession legislation.[215] Each of these lawful instruments can interconnect with election sanctuary. Major deliberations include marginal exemplification; devising election codes of conduct and constitutional necessities; revising and reviewing political gathering registration necessities; working towards global electoral standards; and enhancing electoral systems or election processes of law reform.[216]

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[212]Snyder, Jack. *From Voting to Violence.* New York & London: W.W Norton & Company, 2000.
[213]Page, Kathleen R., and Sarah Polk. "Chilling effect? Post-election health care use by undocumented and mixed-status families." *New England Journal of Medicine* 376, no. 12 (2017): e20
[214] UNDP, 2009
[215] USAID (2013)
[216] Ibid

Höglund and Jarstad recommend centering on the electoral structure and delineating procedures and properties for engagements to support and revise the organizational legal frameworks and settings.[217]Policymakers and practitioners can contemplate the repercussions of the voting system towards the threat of violence, and analyze probable alterations to voter based codes of behavior, systems, and other guidelines during elections. They must specify consents beside violence perpetrators, probably by hindering the duty for recurrence violence-propagators to participate in politics and eliminate a culture based on impunities.

While concurring that all over the upcoming world the community limitations on equality are significant, such restrictions still leave room for mindful political strategies that may accelerate or obstruct effective democratization. As a result, organizations work not just at the margins, but at the focal development of stability, specifically in ethnically diverse communities. Scarritt and Mozaffar push the crucial role of organizations even higher by arguing that demystified organizational arrangements not only differentiate equalities, but equally invest in governments with various capabilities to handle conflicts, and thus the survival of third-wave democracies under fully negative conditions often clings on these organizational discrepancies.[218]

Institutional strategy takes on a modified responsibility in emerging societies and democratizing because, without other measures, politics become the key mode of communication between differing community forces. In a given society, groups (gatherings of individuals who come across some kind of mutual attraction) talk to one another often about determining

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[217]Höglund, Kristine, and Anna K. Jarstad. "Strategies to prevent and manage electoral violence: Considerations for policy." (2010).
[218]Bogaards, Matthijs. "Dominant party systems and electoral volatility in Africa: A comment on Mozaffar and Scarritt." *Party Politics* 14, no. 1 (2008): 113-130.

distributive chaos, sometimes concerning planning about the country's future, and regularly about other ordinary issues of daily concern. In the majority consensuses of the West, there exists a variety of communication channels open via which to conduct the negotiations. Individuals from differing perspectives and cultures can connect with each other by the use of civil society institutions via the social and fair clubs, press, church groups, habitation relations, labor unions, and so on.[219]

In untried democracies, nevertheless, whereby society is highly distributed along regional, religious lines or even ethnic lines, political establishments take on more significance. They get to be the most influential, and frequently the only, communication medium between different collections. Such societies are yet to have mixed organizations, which portray a broad civil society. Social, sporting as well as religious groups are heavily isolated, and various peoples do not, play together, live together, or really talk to each other. Similarly, many new democracies are yet to have a vigorous free press where groups can talk. This is true in the West alike, where varying media outlets speak to differing social classes or groups, and where cities are regularly alienated along racial, economic, and ethnic lines; but disintegrated societies in the third world regularly address the far end of the continuum, and that is the reason behind the existence of political organizations as the primary channels of interaction.[220]

Since political establishments accomplish this duty as the distinguished mode interacting, they should enable channels of communication between groups that need to negotiate. If they restrict people from getting to the board, their only option of resolving conflicts would be through force, not via mutual accommodation and negotiation. In addition, those engaging in the

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[219]Sisk, Timothy D. *International Mediation in Civil Wars: Bargaining with Bullets.* New York: Routledge, 2009
[220]Sisk, Timothy D. *International Mediation in Civil Wars: Bargaining with Bullets.* New York: Routledge, 2009

talks, the representatives, must adhere to their representational role. To be in a position to promise and deliver on them, each political representative should be accountable to his or her constituency to the highest degree possible through the rules of the institutions. The nature at which institutional rubrics place a responsibility on the fundamental roles of such as numbers, or else aim to disintegrate the overall salience of society by compelling them to exceed their status as legislatures of a particular group or another, is key to the intellectual debate regarding political institutions in highly dysfunctional societies.

The organizational plan not excluding the constitutional stipulation and the voting system comes up with enticements and deterrents for electoral clashes.[221] Some measures device particularly high risks for votes. For example, in majority based voting in one-member electorates, the significance of particular individuals enhances their probability of becoming violence targets. Plans for by-elections may bring about alterations of influence stability, hence increasing the incentives and putting specified individuals at jeopardy of violence and intimidation. Beneath other considerations, short-term period resignations are conducted via alternatives from the membership category. Electoral regulations can device the viable restrictions on the application of violence, the command and controls of the election coordinating institutes as well as guidelines on who is allowed to contest in the elections. Such regulations may also specify a voting nature of conduct that may comprise arrangement on evasion of hatred discourse and other events that trigger polarization and fierceness.[222]

[221]Lyons, Terrence. *Demilitarizing Politics*: Elections on the Uncertain Road to Peace. Boulder: Lynne Rienner Publisher, 2005.
[222] Ibid

Stereotypically, the repercussions of associational design center on the dogmatic organization and voting laws.[223]Nonetheless, an all-inclusive strategy for dispute-resolution moves in the organizational framework is particularly important in nations with repeated incidences of political castigated violence. Additional attention ought to be focused on measures that enhance the enactment of the appropriate framework. Without restrictions contrary to those violating the electoral regulation, including violence perpetrators, an impunity culture is endorsed. [224]In the mean-time in communities that have encountered fierceness it may be unbearable to confine all people with an aggressive politics history. For instance, there are numerous engagements, which certify that the nature of conduct well informed and honored. A vow for peace – which combines religious, political events and leaders of the civil society– to openly announce a pledge to a conduct of ethics–, is among such tool. The publicity and openness of amity pledges focus at keeping the criterions of just and credible elections.

Policymakers and practitioners working on management of electoral clashes should: have a look at the implications of the voting structure for occurrence of clashes, and analyze likely alterations to codes of behavior, voting systems, and related restrictions on the voting process; Demarcate restrictions objecting violence perpetuators, for example by constraining the right for habitual violence-castigators to participate in politics, with the intention of getting rid of a society of impunity and device means and offer sufficient resources for engagements that can support the organizational setting and constitutional framework, particularly using peace vows.

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[223]Paris, Roland. *At War's End: Building Peace after Civil Conflict.* Cambridge: Cambridge University Press, 2004.
[224]Kumar, Krishna ed. *Postconflict Elections, Democratization, and International Assistance.* Boulder & London: Lynne Rienner Publishers, 1998.

4.6LawEnforcement

Law enactment is any structure through which some society members behave in an arranged method to administer the law by deterring, discerning, punishing or restoring people who go against the norms and rules governing a given society.[225] Even though the term constitutes entities such as prisons and courts, it is more commonly applicable to those who unswervingly participate in surveillance or patrols to discover and dissuade criminal activity, and those who examine crimes and detain offenders a task basically conducted by the police or another law enforcement organization. Furthermore, although the enforcement of law may be most concerned with the inhibition and retribution of crimes, establishments exist to depress a wide scope of non-criminal abuse of norms and rules, affected over the burden of simple repercussions. Some type of law enforcement commission, with the very typical agency satisfying this role are the police, carries out most law enactment.

One of the key obligations law is stipulating ground regulations for society, devising a sense of stability and security, which qualifies members to cooperate and guide their behavior, solve difficult social predicaments, and make plans.[226] For ecological regulation to enable supple decision making in the absence of security compromise or stability legal structures influenced by vibrant stressors including weather change necessity to emphasize general principles and standards, e.g., relative water provision principles, over stipulated rules, e.g. static water distribution rules. Craig et al. consider this change as background "legal floors, legal ceilings, and intelligible principles," that, for instance, create slightest necessities (floors), extreme verges

[225] Jarstad, Anna and Timothy Sisk, eds. *From War to Democracy: Dilemmas of Pacebuilding* : Cambridge University Press, 2008.
[226] Abbink, Jon, and Gerti Hesseling, eds. *Election Observation and Democratization in Africa.* Basingstoke: Macmillan Press, 1999

(ceilings), or standard stipulations (ideologies) to aid decision making without stipulating particular resolutions that could get outdated or highly inflexible when societal-ecological conditions vary.[227]

These tactics symbolize aspects of "reflexive law" which promotes that lawful consultants establish standards, objectives, and engagement ground rules, while leaving eventual explanations, such that policy makers have constitutional supervision and tractability they are required to respond to composite societal dilemmas.[228] These kinds of provisions are likely to apply to government organizations transboundary treaties and compacts as well as community-based governance systems. Power divisions (e.g. Federal-state), lawful norms that are informal(e.g., regular law), and official sunsets on current law provisions boost adjustable capacity, particularly by (a) allowing allocation of engagements to more relevant scales or agencies (e.g., public collaborative), (b) allowing boosting revision over long durations of societal development, and (c) devising planned durations of chances for transitional adjustment of weighty considerations, like international treaties and water compartments. Government institutions and smaller organizations (e.g., local watershed organizations) may both (a) implement inertia, averting change, and (b) become brought down in progressive examination of their operations. Planned windows create room for a more incorporative governance approach, creating a well-articulated and foreseeable period of reconsidering and alter direction, hence safeguarding stability and security without threatening equally significant parameters of

[227]Berrios-Torres, Sandra I., Craig A. Umscheid, Dale W. Bratzler, Brian Leas, Erin C. Stone, Rachel R. Kelz, Caroline E. Reinke et al. "Centers for disease control and prevention guideline for the prevention of surgical site infection, 2017." *JAMA surgery* 152, no. 8 (2017): 784-791.
[228] Mehler, A. *Votes, Money and Violence. Political Parties and Elections in Sub-Sahara Africa.NordiskaAfrikainstitutet*, Sweden. (2007). University of Kwazulu-Natal Press, South Africa.

responsiveness and flexibility. These ideologies of strategy merge into a bigger class of executive, an indispensable characteristic of flexible governance.[229]

Police behavior in these elections show that fierceness can be minimized if demonstrations are managed properly.[230] This places an obligation not only on police but also on politicians and protesters. While police should receive enhanced training on riot management, demonstrators also need to ensure that they act peacefully within the confinements of their right to assembly freedom. Better conduct by both public and police would minimize the pressure between civilians and police and reassure chances for better relations, including through public policing, that would serve to eradicate forcefulness and crime during elections. Politicians also have an important duty to play particularly in the age of social media and should publicly reject violence from their cliques and desist from making false or provocative proclamations on social media. Politicians should lead by example in efforts to eradicate tension from all perspectives.[231]

Because of high incidences of insecurity and mistrust during election times, enhanced placement of safety staffs is often critical. Beneath the situations when national capability for safety is minimal, or when internal security agents are engaged in violence, worldwide intermediaries and police may act as exterior supporters.[232] In other incidences, internal security agencies–military police, ordinary police, intelligence etc. may play crucial roles in curbing violence during elections in both the seasonal and the durable. In the end, the significance of safety agents lie in their daunting duties and their law-enactment potential. Without the implementation of balloting regulations, the legal restrictions on the application of violence over

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[229] Ibid

[230] Felbab-Brown, Vanda, Shooting Up: Counterinsurgency and the War on Drugs (Washington, DC: Brookings Institution, 2010), pp. 1–12.

[231] Snyder, Jack. From Voting to Violence. New York & London: W.W Norton & Company, 2000.

[232] Ibid

election times are powerless apparatuses. This is expressly so in republics that have experienced violence and where beliefs of sins have often become universal. In the short-seasonal, enhanced security existences particularly in high-risk areas hinder the enactment of violence in a direct manner.[233]Nonetheless, a scene of power can also be provoking. Persons and assemblies feel endangered by workers in uniforms and arms. Others sense that placement of safety agents is prying in their surroundings. Political revelries can be particularly incited if the safety machine has a reliable connection with the obligatory party. For such a reason, restriction should be accompanied by confidence-enabling measures. Predictably, security is maintained by the police and when need be, the military intervenes. However, in nations with election clashes, a more detailed approach becomes a necessity. Honored civil society administrations and cultural or clan elders should be engaged in enhancing sureness and boosting tolerance and respect. Such grids are highly significant for recognizing probable areas of insecurity and specific troublemakers. The judiciary ought to function efficiently in cooperation with security devices if or purposes of curbing impunity. A strategy on polling safety, thus, should be devised and conducted in conjunction with a number of facilitators.[234]

Practitioners and decision-makers of voting clashes handling should: Participate in mutual coordination with home based actors to detect lines of clashes perpetrators and to spot peace-campaigning elements; boost coordination between local security agencies, national security agents, peace gatherers, and other appropriate actors; educate security agents in the voting regulation(s) and the norms of conduct and develop mechanisms and strategies to deal

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[233]Sisk, Timothy D. *International Mediation in Civil Wars: Bargaining with Bullets*. New York: Routledge, 2009.
[234]Reilly, Benjamin. "Post-Conflict Elections: Constrains and Dangers." *International Peacekeeping*, 9 no. 2 (2002): 118-39.

with electoral safety from a detailed perception constituting both hindrance and boldness boosting, and allocate sufficient resources to evaluate and implement such policy.[235]

4.7 Voter-focused strategies

Voter awareness and public participation should be an unceasing activity with ongoing support for development of political parties, media training and citizen education.[236]Exceptional electoral tutoring programs, counting for youth onlookers, may provide engrossed public education on processes and values. Examples of related activities include: partisan gathering factories to encourage interventionamongst rivals; drilling for political legislations on amicable methods of vote hunting; media commitment on the issue of election-oriented violence; developing society conciliation programs; and operating in conjunction the defenseless or exiled population highpoint the significance of communal education crusades to encourage bigotry for political ferocity towards women.[237]

In numerous ways political society and public assignation, procedures intersect with voter edification and initiatives of publicity. Examples of engagements are multi-participant mediums and discussions in planning of a communal movement; polling support groups; amity campaigns; cultural and religious leaders' mediums; old-style leaders' forums; and deliberate leadership enlargement and teaching. In cases where it is well-developed, civil society assists in coordinating management of voting violence. One endorsement is some peace vow that brings closer political parties, civil society and religious elders, to openly declare a pledge to a code of

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[235] Ibid

[236] Joshi, Madhav, Erik Melander, and Jason Michael Quinn. "Sequencing the peace: How the order of peace agreement implementation can reduce the destabilizing effects of post-accord elections." *Journal of Conflict Resolution* 61, no. 1 (2017): 4-28.

[237] Reilly, Benjamin. "Post-Conflict Elections: Constrains and Dangers." *International Peacekeeping*, 9 no. 2 (2002): 118-39.

conduct. [238]Operating with parties to device pre-election amity vows, assisted by monitoring of violence, are the realistic tactics to prevent voting violence, given restrictions to worldwide engagement.

The manner violence is viewed if it is politically propagated or not differs, reliant on where you are positioned and how one is affected. A disagreement sometimes beseeched relative to forcefulness nearing voting periods is not entirely affiliated to the voting but rather due to regular criminal engagements. Conversely, when people insinuate that roughness is encouraged in a political manner, it is likely to have political repercussions.[239] When legislators and political objectors are the victims of fierceness, the implication may be that particular political campaigns fail to reach all avenues in every electoral quarter and in the republic. This restrains the entitlement to information self-determination and is a deterrent to a permitted political preference. When election participants are focused on during cataloging or nearby elections, the implications could be that citizens desist to vote, or ballot towards a given political gathering out of tension, instead of a willing option. When polling fierceness happens, sufficient back up is critical during the progress of a functional democratic culture and for long-lasting peace. Schemes to manage and prevent electoral violence purposely focus on the castigators of violence, and the viewpoints of the sufferers of such violence are commonly neglected. A combined dimension to support the sufferers of violence is critical so that the victims can cope with the implications of clashes. Strategies focused on the previous of electoral violence may

[238] Carnegie Mellon University, 'Conference to Mitigate Violence in Liberia's 2011 Electoral Contests: Resolution', Monrovia, 2010, p. 2, available at , accessed 30 June 2011.
[239] Ibid

also hinder violence from adversely influencing the approaches facing independent politics, a mandatory condition for reliable peace.[240]

Makers of policies enablers of electoral clashes resolution should: Incorporate in their calculations an evaluation of the implications voting clashes and the manner their varying needs (1, physical, material, and psychological) may be catered for; develop a wide range of strategies to accommodate varying intended groups to hinder extreme personal and political repercussions of electoral fierceness and offer enough funds to device measures and policies to articulate the impacts of voting violence, and evaluate and enact such policy.

4.8 Conclusion

The tools and methods to minimize election violence differ hugely in relation to the implementing actor, scope or timing.[241] Prior alterations to electoral rulings may be allowed internally sometimes before voters conduct the voting to enhance access to and credibility of the process of voting. Current government establishments can take precautionary measures, when they handle the key responsibility for the peaceful and transparent arrangement of elections. Domestic media, political parties, and inland NGOs, like childhood organizations, act a crucial role likewise, when leading authorities give them the space and chance to work. [242]

A properly taught and armed police agency can intimidate planning offenders on Voting Day. The act of preventing voting violence also focuses on varying groups and personalities, as per risk evaluation in specific settings. Prevention models are classified in footings of the

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[240] Dean. G. Pruitt and Sung Hee Kim, *Social Conflict: Escalation, Stalemate, and Settlement*, 3rd ed. New York: McGraw-Hill, 2004

[241] Mueller, Susanne D. "Dying to win: Elections, political violence, and institutional decay in Kenya." *Journal of Contemporary African Studies* 29, no. 1 (2011): 99-117.

[242] Brun, Cathrine, 'Local Citizens or Internally Displaced Persons? Dilemmas of Long Term Displacement in Sri Lanka', *Journal of Refugee Studies*, 16/4 (December 2003), pp. 376-97.

sections of the people they aim, which could be regular citizens, political bests, or potential committers.[243]

Most predominant practices are focused on citizens, via voter education, peace messaging and voter conferences. These methods are founded by the hypothesis that a change in the perception and conduct of the universal constituency helps control the occurrence of violence. Through armistice messaging, regular citizens are motivated to air their voices against war and are focused to the people, development, and financial implication of clashes. The messaging occurs by the use of several media, inclusive of athletic events, advertisements, or arts and on a diversity of communication channels[244]

Voter training alleviates the menace of ferocity by refining the voters regarding democratic measures and tasks, authorizing susceptible groups, and boosting the legality and clearness of the balloting process.[245] Voter meetings are founded on the supposition that participating political podiums permit voters to express their issues and anxieties, boost their supposed fullness, and outline the policy primacies of the governmental best.

The duty and obligation of the radical best in provoking and establishing polling violence cannot be ignored, meanwhile, violence regularly comes from an unavoidable phobia of dropping power in the sight of an unpredictable election result. A sovereign election management body (EMB) enhanced to implement polling procedures in a steady and unprejudiced method can help hinder or perpetrate forcefulness.[246] An EMB can consent parties

[243]Harish, S. P., and Andrew T. Little. "The political violence cycle." *American Political Science Review* 111, no. 2 (2017): 237-255.
[244] Schneckener, *'Fragile Statehood, Armed Non-State Actors and Security Governance'*, Private Actors and Security Governance (Geneva: Centre for the Democratic Control of Armed Forces (DCAF), 2006).
[245] Collier, P. Wars, Guns, and Votes: *Democracy in Dangerous Places*. New York: HarperCollins Publishers. 2009.
[246] Ibid

as well candidates that view violence as a practical gadget, incentivize codes of behavior, and device a clear action and result confirmation protocol.

As an accompaniment to this internal approach, foreign diplomats may help organize homegrown leaders for peace and handle conflicts between key contestants. By the use of deterrent diplomacy, older diplomats are likely to pile pressure or influence, informing probable spoilers regarding the implications of provocation and the significance of formal dispute settlement.[247]

Security department assignation and youth platforms demonstrate policy methodologies collected by the projected wrongdoer of the clash.[248] A properly trained and prepared police agency and military offer a crucial internal pledge for election safety, so long as they highlight the security of the voters over key intentions and exhibition proficient conduct. Whether the extortions emanate from fierce riots, rebellious assaults, or targeted killings, police are entitled to the security of election ingredients and participants, including voters, contestants, or ballot workers.

Police drilling may also aid ensure safety agencies are components of the solution and not the difficulty, as police harassment, repression, or abuse offer regular forms of election clashes. Projected education or hiring measures may likewise minimize the chance of polling violence, turning regular castigators of fierceness into members in the political and economy system. By

[247] Crocker, C. High *Noon in Southern Africa: Making Peace in a Rough Neighborhood.* W. W. Norton. 1992.
Commission of Inquiry into the Post-election Violence Report, Nairobi. 2008.
[248] Kenyans for peace Truth and Justice , Unfinished business from Krieglers,,s IREC,,, Wajibu, 24(1), 2009.

the use of employment packages, or straight involvement in the polling process as a helper, measure, or even an aspirant, youth acquire a stake in the nonviolent conduct of elections.[249]

The insinuations relating to the probable results of this equipment are probable as much as they get applied as per the best conduct and heed to a planned risk assessment, which establishes either citizens, violent, or elite agents as components of the delinquent or the resolution.[250] For example, the probable impact of people-focused strategies on the violence risk is questionable in cases whereby revolutionaries are well organized the single propagators of balloting violence. Pilling up the material capability of the security segment is only advisable in cases whereby a well-trained and armed police agencies presents an internal guarantee for election safety rather than a component of manipulation in the hands of a demanding obligatory.[251]

Spotting the determination and potential to base precautionary involvements on intense and iterative evaluations, beginning at least some months prior to the Election Day, present only one of key encounters to boost efficiency. While quickly expanding, information of the chauffeurs and prompts boosting the chances of balloting violence remains faulty, placing deterrence exercise on a wavy information base to start with. Meanwhile, given the prevailing focus on counteracting seasonal causes of expected violence, measures to prevent polling violence often lack to cater for the fundamental inspirations of harsh political conflict.[252]

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[249] Ibid

[250] Edward Newman, Humanitarian Intervention: Confronting the Contradictions. New York: Columbia University Press, 2009.

[251] Huang, Jennie, and Corinne Low. "Trumping Norms: Lab evidence on aggressive communication before and after the 2016 US presidential election." American Economic Review107, no. 5 (2017): 120-24.

[252] Fischer, Jeff. Electoral Conflict and Violence: A Strategy for Study and Prevention, IFES White Paper (Washington, DC: International Foundation for Electoral Systems (IFES), 2002), p. 7, available at , accessed 1 July 2011

CHAPTER FIVE

CONCLUSIONS AND RECOMMENDATIONS

5.1 Introduction

This study required to determine what influences election ferocity in Kenya. Specifically the study aimed to: Examine external factors influencing election violence in Kenya, Investigate the internal factors influencing election negative effects in Kenya and Make necessary recommendations to mitigation strategies, which will help to end to future electoral violence. This chapter gives conclusions and recommendations formed on the study conclusions.

5.2 Discussion of the Findings

The researcher exposed that historical economic, tribal, and institutional gaps play a key role in bringing about election violence. Political gatherings and party mergers play a critical duty in the separation of cultural societies in Kenya. However, it is evident that when two or more cultural groups merge in support of a given party the instance of violence is minimized. This can be a good move in curbing future election violence based on differing ethnicities. Teachings against tribal differences may be appropriate in peace promotion.

Party leaders are also known to exploit ethnic differences thus using it to their benefit. It s paramount to note that Kenyan elections have been peaceful when historical ethnic differences ire put aside and all the people come together as a nation. The rules of elections should be bcused on thoroughly so that there are no loopholes through which votes can be stolen. This is cnown to be one of the propagating forces in some of the election violence incidences. From the bbservations so far, a reliable solution must aim to determine the escalation of electoral violence

in the polity. Only then would Kenya have the country resolve and political will for handling electoral violence in the future.

The first measure is oriented on the stakeholder who initiates a given program. The key distinguishing factor is between whether the government or the civil society triggers the program. It is noted that commonly the most efficient programs are associated with cooperation between the two, as both are crucial members in the electoral process. For example, government subsidized peace avenues and confined peace groups have the potential to coordinate effectively CSO measures at the local level to get rid of program dismissals. These platforms are able to draw on the material and financial resources of the state if there is the political desire to back them up.

Based on the findings other programs are likely to be much efficient if either is the primary coordinator. Necessary improvements of the electoral commission or police, for example, need relevant efforts by state actors. On the other hand, enhancing long-term inter-community negotiation may be better placed in the hands of actors in the civil society that face no accusations of being related with any political party.

The second dimension considers the goals of an intermediation and whether they are the organizations that arrange the election, the communities that could be affected by election violence, or the candidates and the political parties. The first two forms of strategies practical improvements and social peace building resemble the distinction drawn by Birch and Muchlinski in their personal research, although they refer to the two types as "size building measures" and

"attitude changing strategies."[253]Irrespective of the labels, the difference lies between plans that dare to boost those institutions handling elections, such as the electoral commission and election teams of observation, and those strategies that try to constrain violence through common shareholder intercommunity dialogue, mediation, and engagement with probable committers and victims of violence.

Both forms of programs provide reliable justifications for being used in a probably violent election. Undeniably, the results demonstrate that both weak election management institutions and local resource conflicts between rival groups can cause violence. The two forms of moves are regularly related and may both form part of the portfolio of the similar anti-violence campaign. For example, a civic education program can be used to both interconnect the measures and guidelines for voting and engage in peace messaging and shareholder meetings in societies that are exposed to violence.

The typology offered here also considers particular programs that engage the political parties and their contestants as the key targets of an involvement as a third type. Most of these programs are initiated to influence political party conduct during campaigns such that the probability of cheering violence by cohorts is minimized. This can involve consolidation and implementing party codes of conduct or presenting hate speech laws to normalize campaign oratory. Again, these databases are not particularly reciprocally exclusive with the first two. A strategy aimed at community peace restoration may include engagement with local party supporters, such as the local party youth wings, as a key constituent of its move.

[253]Birch, Sarah, and David Muchlinski. "The Dataset of Countries at Risk of Electoral Violence." *Terrorism and Political Violence*(2017): 1-20.

According to the findings, whether programs are long-term or short-term whether they go beyond the instant election set is an issue that was spotted as critically important. While certain measures such as the training of election observers or civic education campaigns on campaign rules require time frames that are focused close to the date of the election, other programs must be extended outside the immediate election cycle to be effective.

5.2 Conclusion

Election-propagated fierceness is progressively mutual in the 21stera, as are representative administrations. Over the previous 15 or so years, Africa is involved in developing its people oriented institutes and development has been enacted. However, the past several years indicate the punitive significances brought about by botched democratic procedures can have. Albeit elections form just a section of an autonomous regime, they are among the fundamentals of a democracy. The thesis investigated the probable contributing factors leading to election violence and ways of alleviating future violence.

As the works on the causes of election violence indicate, violence has many reasons, and an eruption of ferocity does not essentially signify that mediation efforts failed; in their absence, violence could become more severe. Similarly, the lack of violence does not certainly insinuate that intercessions were effective. Additionally, accounting for the overall impacts of concurrent dispute prevention packages in a particular election phase can be challenging.

Kenya carries a luggage that is increasingly becoming heavier as years pass by. The constituency holds hatreds that incidents such as the recent post-election violence scratch them to react straightaway. For the purpose of space, some concluding explanations are appropriate. The "land question" remains unsettled and will keep lingering the country until durable solutions are

identified. By establishing commission after another to investigate the issue, the Kenya government has simply been buying time as characters of different types of land continue to fight over them with no visible end. The solutions given by numerous commissions should induce the government to review present policies with a view to reformulating them in order to undertake suitable programs.

In the economic sector, more youth unemployment, spiraling cost of living, the country's economic shortcomings and regional imbalances undermined the government's effort to cite the country's economic revolution for the better. Moreover, continued regional inequalities, which numerous studies have underlined in Kenya lie at the center of political dissections which voters might wish to restore through other means if polls cannot offer solutions.

Kenya ought to focus on seeking security and peace and all other things will come along, given its history of shedding blood, communal injustices and unequal nature of might politics in the polling system. Knowledge is solely not enough for satisfactory citizenship; it ought to be pooled with boldness that endorse equality, peaceful co-habitation and the unavoidable idea of inter-reliance between various ethnic communities. It is necessary for it be an education equipping the receivers with aids in areas such as informed decision-making, serious thinking, and devising reciprocally supportive and responsible social links. This type of education provides the receivers with an obligation to getting involved individually and collectively in elevation of the above features of public empowerment.

The study concludes that there shall be community education awareness programs that prevent the possible danger of interethnic hostility as an implication of the overview of multi-party electoral system and the discrepancies in entree to national possessions. These campaigns

ought to speak about the matters of interethnic unity and nonviolent co-habitation among Kenya's multiple ethnic community. The citizens ought to be educated the origins and sources of conflicts and the skills of dispute resolution and means of propagating peace across all levels. For example, at resident community school grade, to international and national levels. In addition, Leaders would utilize the chance of organizing seminars, meetings to explain to the general public, and view leaders specifically, the significance of tribal harmony, peaceful co-habitation and the need to enact a sustainable nationhood.

Installing local election observers to voting stations during Election Day minimizes both the probability of electoral violence and incidences of electoral malpractices. Applying a field project that haphazard zed the task of observers to voting locations, the authors identify that the attendance of onlookers does minimize voter bullying. Nevertheless, the research also identifies that to some level, parties can change violent moves to avoid recognition by observers.

5.3 Recommendations

Based on the findings the study makes the following recommendations

5.3.1 Peaceful Election Systems Architecture

i. Voter registration: In general, voter registration systems exhibit the risk characteristics of a general-purpose computing system and, more specifically, any network connected database application. To properly mitigate risks, each voter registration system within a state, and links to the voter registration system, needs a comprehensive assessment of its technical characteristics and the application of appropriate security controls. Kenyan government should revise their voter registration system. To ensure accuracy, voter registration should provide voters with the opportunity to establish their eligibility and right to vote, and for states and local jurisdictions to

maintain each voter's record, often including assigning voters to the correct polling location. Biometric Voter Registration System (BVR)for example should ensure that: There are numerous methods of recognizing voters exceptionally (other than names, there are finger print and facial expressions; That capture of voters' records is efficient, fast, and direct; Security and information privacy is enhanced and Honesty and dependability of information is enhanced e.g. removal of reproductions.

ii. Poll books: Poll books should be in a position to assist election officials by providing voter registration information to workers at each polling location. Historically, these were binders that contained voter information and could be used to mark off voters when they arrived to vote. While paper poll books remain in use today, many poll books are electronic and aim to facilitate the check-in and verification process at in-person polling places. The primary cyber security-related risks to paper poll books come from the transmission of poll book data to formatting and printing services. These primary risks must be managed to ensure proper management of poll books. Because they are risks and threats shared among users of COTS products, there is a well-established set of controls to mitigate risk and thwart threats.

iii. State and local Election Management Systems: States and local jurisdictions generally have established, persistent Election Management Systems (EMSs) that handle all backend activities for which those officials are responsible. Each state has an EMS, and each local jurisdiction will typically have a separate EMS that May, but will not always, connect to the state's system. The extent to which the two systems are integrated, if at all, varies greatly. For the most part, a local EMS is used to design or build ballots, program the election database, and report results. A state EMS typically does a wide variety of things including election night reporting and military and overseas ballot tracking. An EMS will also typically include vote

tabulation. For the purposes of this handbook, vote tabulation is broken out into its own section. EMSs can have a wide variety of inputs and outputs that will depend on the separation of duties between the state and the local jurisdictions and the manner in which each state or local jurisdiction handles particular aspects of the election process. The diversity of functions delivered by an EMS makes it difficult to generalize the level of connectedness of any given system, but most will have at least some aspects of a network connected system. A host of factors impact connectedness, such as whether a state or local EMS is network connected and whether communications with the EMS leverages connections such as a Secure File Transfer Protocol (SFTP).

iv. Vote capture: Approaches vary greatly both across and within jurisdictions. Any given jurisdiction, and even a single polling place, is likely to have multiple methods for vote capture to accommodate both administrative decisions and different needs of voters. Each type of vote capture process should have risks evaluated individually based on its type of connectivity. E very state must carefully protect the integrity and secrecy of the vote cast through the capture process and into the process of tabulation. To do this, best practices call for applying a series of controls to mitigate the risk that a vote capture device is functioning improperly, to identify problems if they occur, and to recover without any loss of integrity.

v. Vote tabulation: Vote tabulation is any aggregation or summation of votes. Vote tabulation is the aggregation of votes (e.g., cast vote records and vote summaries) for the purpose of generating totals and results report files. Depending on the implementation, these systems should be considered network connected or indirectly connected. They may interface with the internet, and, even if they do not, almost certainly interface with a system that is connected to a network.

vi. Election results reporting and publishing: After votes are tabulated, results must be communicated both internally and to the public. The systems used for reporting and publishing are likely networked, and, in many cases, have public facing websites. Transmission between components creates vulnerabilities while securing elections systems components is important, one of the largest sources of vulnerabilities and thus most common methods of attack vectors in cyber security parlance lies not in the systems but in the transmission of data between systems. Weaknesses in communications protocols, or in their implementation, risk exposure or corruption of data, even for systems that are otherwise not network connected. For instance, while paper poll books wouldn't typically have cyber security risks, if the data for the poll books is sent electronically to a printing service, this transmission introduces risks that must be addressed.

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