

**The Effects of Legislation on Electoral Opinion Polls: A Case Study of  
Pollsters in Nairobi County.**

**BY:**

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**REG. NO. K50/71555/2008**

**A Research Project Submitted in Partial Fulfilment of the Requirements  
for the Award of Master of Arts Degree in Communication Studies, School  
of Journalism University of Nairobi.**

**NOVEMBER, 2013.**

## **DECLARATION**

I, **Paul Kimweli Wambua**, do hereby declare that this research project is my original work and has not been presented for a degree in any other University.

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

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The research project has been submitted for examination with my approval as the University Supervisor.

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**Dr. Ndeti Ndati, PhD**

**NOVEMBER, 2013.**

## **DEDICATION**

I dedicate this project to my late beloved dad, Michael Kimweli Muumbi (R.I.P) and my adorable mother, Monicah Nthambi Muumbi whose love, care and financial support greatly founded the basis of my education. I will always be grateful to you dad. May heaven be your eternal home!

## **ACKNOWLEDGEMENT**

It took the support of many people for my research to be successful. I am very grateful and appreciative of all the economic, moral, and intellectual support accorded me by everyone who did so.

In the first place, I appreciate the untiring direction and guidance given to me by my supervisor Dr. Ndeti Ndati, PhD; who dedicated his valuable time reading and correcting this work. Your professional guidance which enabled me to produce standard work is greatly honored. I also greatly appreciate the initial help from all my lecturers in the School of Journalism – University of Nairobi, for the general theoretical foundation without which I would not have gone any far.

I acknowledge the financial and moral support received from my family, friends and relatives in the course of my study. I greatly acknowledge Faith Mutanu, Paul Kabui and Robert Ndung'u for their moral and intellectual support which was a big force to the realization of my research. My friends Charles Wachira, Dominic Mutuku, Christine Mumo, Maryann Kagai, Chris Kituto, Geoffrey Muthama and James Kabata amongst others for their encouragement and support as well as Joseph O'Connor and my parents without whom my research would not have been complete.

Special thanks to my classmates of the year 2008/2009 and all those not mentioned here for their words of encouragement.

Finally, am grateful for the contribution from all the respondents and participants who provided me with information during the research process.

May the peace, grace and blessing of the Almighty God be with you all!

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## **ABSTRACT**

Public opinion polls are critical in shaping and transforming the society. Properly conducted and disseminated, polls give the general public an opportunity for its voice to be heard and influence the social – political and economic processes in the country. The regulation of electoral opinion polls aims at protecting the integrity and fairness of electoral process and safeguarding citizens against accesses of information that might confuse them or interfere with their freedom of choice. However, such legislations can also be seen as efforts by the ruling class to suppress the citizen’s freedom of expression and access to information.

This study was carried out to investigate the effects of legislation on electoral opinion polls. A case study of pollsters in Nairobi County. It was guided by the following objectives: - (i) to investigate the factors that influence electoral opinion polling in Kenya, (ii) to find out the factors that influence people’s voting patterns in Kenya, (iii) to determine the extent to which legislation influences voter’s access to credible, reliable and representative polls and (iv) to investigate the role of communication in creating awareness about electoral opinion polls.

The study adopted descriptive survey design. Sample size was achieved through purposive and systematic random sampling techniques. Informant interviews and self – administered questionnaires were used as the data collection tools. Quantitative data was analyzed using Statistical Package for Social Sciences (SPSS version 20). Qualitative data was presented thematically.

This study established that legislation on electoral opinion polls influences electoral opinion polling in Kenya to some extent. The major findings of the study indicated that political parties influence electoral opinion polls in Kenya, the party’s / individuals manifesto formed the people’s voting patterns in Kenya, the legislation influences voter’s access to credible, reliable

and representative polls and communication plays a very significant role in electoral opinion polls.

The researcher recommends that the current legislation on electoral opinion polls should be evaluated to ensure its objectivity and that citizen's rights to access information is not compromised by law. At the same time, the relevant bodies should educate the public on the role and importance of polls.

## **LIST OF ACRONYMS AND ABBREVIATION**

BLCI	Business Leaders Confidence Index
CORD	Coalition for Reforms and Democracy
DN	Daily Nation
ECHR	European Convention on Human Rights
ECK	Electoral Commission of Kenya
ESOMAR	European Standards for Opinion and Marketing Research
EU	European Union
ICCPR	International Covenant on Civil and Political Rights
IEBC	Independent Electoral and Boundaries Commission
IEC	Independent Electoral Commission
IRB	Institutional Review Board
KANU	Kenya African National Union
MP	Member of Parliament
MSRA	Market and Social Research Association
NARC	National Rainbow Coalition
NCST	National Council for Science and Technology
ODM	Orange Democratic Movement
PNU	Party of National Unity
PR	Public Relations
SN	Sunday Nation
SPEC	Social, Political, Economic and Culture
SPSS	Statistical Package for Social Sciences
UoN	University of Nairobi

USA

United States of America

WAPOR

World Association for Public Opinion Research

## **CHAPTER ONE**

### **INTRODUCTION**

#### **1.0 Background of the Study**

Public opinion polls are regularly conducted and published in many countries. They measure not only support for political parties and candidates, but also public opinion on a wide range of social, economic and political issues. Public opinion is a critical force in shaping and transforming the society. ESOMAR / WAPOR guide to public opinion polls and survey (2009) noted that a properly conducted and disseminated survey research gives the general public an opportunity for its voice to be heard. Through opinion research; the public, politicians, the media and other interested groups have access to accurate measures of public attitudes and intentions.

Opinion polls can exercise particular influence on the outcome of elections and can also be quite distorting. McQuail (2005) noted that by publishing opinion polls or by stating editorially what the public view is on a given topic adds an element of potential influence. He further argued that when public opinion is embodied in media accounts, it acquires certain independence and this becomes an objective “social factor” that has to be taken into account by political and other actors. Therefore, opinion polls are seen as tools providing significant information that may cue undecided voters to formulate vote preferences. This is particularly true of polls and projections commissioned or conducted by a biased source.

Polls and projections may have an effect on the vote itself, rather than simply reflecting public sentiment. It follows therefore that polls may not reflect the people’s views but may also shape the views of others. That is, people may be influenced in how they vote by what they have learned from an opinion poll or what they think they have learned. For these reasons, broadcast



coverage of opinion polls and projections warrants special attention to ensure balance, fairness and objectivity so that the public are able to accurately assess and understand the poll's significance. At the same time, existing laws do not address this issue in uniform fashion, but provisions range from bans on the publication of election poll results from a certain date onward to general prohibitions on opinion polls or the use of certain questions in polls.

## **1.1 Regulation of Electoral Opinion Polls**

Regulation of opinion polls and election projection is very important from a freedom of expression perspective for democratic processes. Article 19 Law Programme (2012) noted that publication of opinion polls is one such area where limitations on freedom of expression have been legitimately imposed in order to protect the integrity and fairness of electoral process.

### **1.1.1 Regulation of Electoral Opinion Polls at the Global Level**

Since the 1930s, public opinion polls had formed an integral part of social and political landscape among many countries around the world. There are few outright bans on opinion polling during election campaigns apart from in the final days. However, Smith (2004) in his research noted that a series of international studies carried out between 1984 and 2003 indicated that pre-election restrictions have become more common. Article 19 Law Programme (2003) and Spangenberg (2003) in their study argued that about twenty seven (27) European Union (EU) countries have a ban on the publication of electoral opinion polls ranging from twenty four hours (24hrs) to one month prior to voting. For instance, Italy and Slovakia have a ban of fourteen (14) or fifteen (15) days, Luxembourg has a ban of one month, France and Belgium twenty four hours (24hrs), Portugal forty eight hours (48hrs) and Greek twenty four hours (24hrs). It is worth noting that the Council of Europe (1999) issued recommendations on media coverage of election campaigns in respect to opinion polls. It stated that results of opinion polls being publicized should provide sufficient information to allow the public make a judgment on

the value of the poll, including; name of organization that commissioned and paid for the poll, name of organization conducting poll and methodology used, sample and margin of error as well as date when fieldwork was done. The Council recommended that any state forbidding the publication or broadcast of opinion polls should comply with Article 10 of the European Convention on Human Rights as interpreted by the European Court of Human Rights. It states:

“Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.” (European Convention on Human Rights, Article 10)

The federal law in Canada prohibits the broadcast, publication or dissemination of the results of new or scientifically conducted opinion surveys that would identify a political party or candidate in the final three days of an election campaign. There are no regulations on the publication of opinion polls in the United States of America (USA). Rather, media coverage of opinion polls is regarded as an integral part of free speech in elections (Claude, 1994).

The proponents of this regulation on the publication of electoral opinion polls believe that polls are authoritative presentations and have undue influence on elections. They can be erroneous, misleading and subject to manipulation in that they are presented without necessary background information (for instance, how and when interviews took place, the sample size, sponsorship etc.) and thus the data generated does not meet the standards of scientific survey. On the other hand, those opposed to this ban assert that it is against the rights of free speech. They too argued that there is no evidence that polls have significant or undue influence on voting. They believe polls are reasonably reliable, have a systematized way of gathering information and that the information presented is a true reflection of public opinion.

### **1.1.2 Regulation of Electoral Opinion Polls in Africa**

Public opinion polls are a recent phenomenon in Africa. Ireri and Wolf (2010) in their presentation on polling during Marketing and Social Research Association (MSRA) conference

stated that today the situation has changed as important social or political issues emerge; pollsters in many African countries publish opinion poll results saying 71% are for it; 14% are against it and 15% are undecided. With the increase in democracy, governance and public participation across Africa, there has been an increase in opinion polls to help guide policy by giving decision makers impartial information about what the public wants.

Most countries in Africa have no laws or acts regulating the publication of opinion polls. Article 19 Law Programme (2003) noted that in South Africa there has been no prohibition on the publication of electoral survey results prior to an election. It further affirmed that prior to the 1999 elections, there existed restriction of publication of opinion polls six (6) weeks before an election. Exit polls, however, are banned by the 1998 *Electoral Act*, which states at section 109: “During the prescribed hours for an election, no person may print, publish or distribute the result of any exit poll taken in that election.” Compliance with the *Electoral Act* is monitored and enforced by the Independent Electoral Commission (IEC), which has the power to bring proceedings for non-compliance before a specially-created Electoral Court. According to WAPOR updates (December, 2012) there exist no embargos in other countries such as Nigeria, Egypt and Tanzania.

Nevertheless, Ileri and Wolf (2010) noted that in spite of these positive predications, pollsters concede that there is mixed reaction towards polls. Supporters believe that they are a critical force in shaping and transforming society while detractors express the view that they are not beneficial to Africa in any way.

### **1.1.3 The Situation in Kenya**

Kenya has a history of opinion polling dating back to the first independence decade when a 261-sample survey of voters in Central Nyanza produced a result reasonably similar in overall terms to the final result (Kiage and Owino, 2010). Political polling continued in Kenya until

the 1966 emergence of Oginga Odinga's opposition Kenya People's Union party which President Kenyatta proscribed in 1969, sending its entire national leadership into political detention.

Nevertheless, public opinion polling has been characterized by low awareness and lack of appreciation of independent and scientifically conducted research as the basis for sound decision-making. It was apparent that business and policy decisions tended to be driven more by intuition and 'gut feeling' than by evidence based, empirical research findings. While it is undoubtedly true that observation, intuition and experience play an important part in the decision – making process at all levels, it is also important to note that for public policy operating in a highly and diverse economic environment; listening to the public voice is very important. Reliance on predictable cycles and 'gut feel' is a short-term strategy. However, the minimal use of research findings in both the public and private sectors in Kenya is due to low understanding of research and difficulty in translating research findings into meaningful and actionable business and policy decisions.

With limited appreciation, the use of public opinion polling was virtually unheard of in Kenya. One or two polls were conducted during the 'dark ages' but were not published as pollsters were fearful of releasing results which may have been interpreted as critical of the incumbent political regime (KANU). As a result, the general population did not have a voice or a channel of engagement with government on the planning or ongoing management of their services. The government, legislators and politicians either assumed or were simply not interested in the general public's stance and, to a large extent, adopted a dictatorial approach to decision making on issues pertaining to the public welfare. A very dark age indeed.

The elections of 2002 marked the end of what was widely considered an intolerant political regime in Kenya. With the dawn of a more democratic regime (NARC) under the leadership

of Kibaki, the sun began to rise and illuminate the landscape for public opinion polling. Thereafter, opinion polls have been conducted on a regular basis with no interference from the government or political leaders. In 2002, at least four (4) opinion polls were conducted and widely publicized by the media. Poll results featured as key news items and spawned a new type of interactive programming on radio, television and on electronic media. Without any doubt, the media in Kenya were instrumental in illuminating the path for opinion polls, supporting the regular practice of opinion polling and providing the platforms for the dissemination of poll results.

Since 2002, opinion polls have been regularly conducted amongst two target groups – the general public and business leaders. The general public opinion poll seeks to provide systematic and representative public perceptions on social, political, economic & cultural (SPEC) issues. These data are then shared with policy-makers, advocacy and interest groups, media practitioners, and groups of citizens to enable them to make more accurate assessments of public opinion. The poll is based on a fully representative sample of randomly selected adults who are interviewed in their homes by fully trained interviewers from all regions of the country. Regular content on these polls include politics, crime, consumer confidence and government performance rating have been conducted in Kenya (Ireru and Wolf, 2010).

The second opinion poll conducted on a regular basis is The Business Leaders Confidence Index (BLCI) which collects business leaders' perceptions towards the economy.

Without question in 2002 public opinion surveys came of age and assumed a level of importance and status in Kenya. Notably was the 2005 referendum poll which was to decide whether or not to adopt a new Constitution. The outcome of the actual poll was that 43% were in support of the proposed constitution with 57% against. The poll outcome was a mirror of the official results by the then Electoral Commission of Kenya (ECK). Thus, polls have not only

become a familiar and indispensable news item for the media but also a key aspect of public debate and scrutiny.

Despite a good start in 2002 opinion polling faced a number of challenges between 2003 and 2012. Politicians, journalists and the general public alike did not grasp (perhaps understand) a number of the key technical issues which determine views as to the accuracy of the results, namely – issues pertaining to sample size (how can 2,000 people accurately represent the views of 16 million adults?), representation (maybe the survey is only carried out in areas favourable to individual political leaders) and the interpretation of data. In instances where the survey data did not support political inclinations, politicians felt that opinion polls were flawed, manipulative and biased exercises - even publicity stunts! Many took every opportunity at public forums to discredit the poll results and the organizations that carry them out. While the media houses continued to publish poll results, very often their interpretations of the data were erroneous – or just down right wrong. Some during Kriegler Commission (2008) hearing which was established to determine the main causes of the 2007/8 post-election violence pointed out that public opinion poll results contributed to the violence hence needed to be regulated. Thus, this gave out room for esteemed individuals to point out biasness, lack of objectivity and manipulation in the whole exercise.

This situation led the parliament to table a Bill on 25<sup>th</sup> October, 2011 - seeking to regulate the manner of publication of electoral opinion polls in Kenya. The Bill was passed on May 30, 2012; assented by the president on June 15<sup>th</sup>, 2012 and commences on November 22<sup>nd</sup>, 2012. It is now an Act of Parliament which reads: “*THE PUBLICATION OF ELECTORAL OPINION POLLS ACT No. 39 of 2012*”. This study therefore seeks to evaluate the effects of this new legislation on the pollsters and other stakeholders.

## 1.2 Problem Statement

Many countries prohibit the publication of opinion polls in the period immediately preceding the vote. The legitimacy for this is to protect the integrity and fairness of electoral process; to safeguard citizens against any excesses of information that might confuse them or interfere with their freedom of choice. This is potential in situations where polls are subject to manipulation or conducted by a biased source hence distortion of poll results. It is well recognized under international law that any limitation placed on freedom of expression must remain within strictly-defined parameters. The universally accepted standard for restrictions is set in Article 19(3) of the ICCPR, which states:

The exercise of the rights [to freedom of expression and information] may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- a. For respect of the rights or reputations of others;
- b. For the protection of national security or of public order (ordre public), or of public health or morals. (Article 19 Law Programme, 2003, January).

In Kenya the reporting of electoral opinion poll results have previously failed to indicate which particular regions the surveys were conducted, the kinds of questions displayed on the questionnaire, education level of the participants, the methodology used amongst other tenets. This made it hard for different classes of individuals to believe in the results. As a result, it is difficult to believe if really the surveys conducted by the pollsters were scientific, non-biased, transparent and reflecting the opinions of all the voters.

In addition, the Kriegler Commission (2008) hearing established that some of the main causes of the 2007/8 post-election violence was electoral opinion poll results hence the need for regulation.

Further, in Kenya most electoral opinion polls have predicted that particular presidential candidate is on the lead. However, the actual results after vote cast indicate that the candidate

who had trailed behind in the electoral opinion poll results wins the presidential election. For instance, the electoral opinion poll results in 2007 indicated that Raila Odinga of ODM party was on the lead. When the actual votes were cast; his close contender Mwai Kibaki of PNU emerged the winner (Wolf, 2009). Moreover, in 2013 the last electoral opinion poll results on February 27<sup>th</sup> showed that Raila Odinga of CORD coalition will win the elections but there will be a rerun. On the contrary, Uhuru Kenyatta of Jubilee Coalition won the election (Kenya Forums, February 2013; DN, 2013). This begs the questions whether the surveys conducted by pollsters are scientific? Do they form the actual public opinion? Do they influence voters in any way? Are pollsters biased in publication of the results because the margin between actual results and predicted ones is enormous? Are there other factors which influence the people's voting patterns besides opinion polls?

Thus, the enacted Bill in Kenya was borne of the reality that the publication of the results of electoral opinion polls influences voters to vote in one way or the other. Further, there were claims from the political class that the electoral opinion poll results were biased, manipulative and non-scientific hence they did not give a reflection of the public. As such there was need for a law that ensured electoral opinion polls are conducted in a scientific and transparent manner and all the relevant information disclosed to the public. This would protect citizens against abuses, manipulations hence granting pollsters positive reputation.

This study therefore attempted to investigate how the legislation of electoral opinion polls influences the operations of pollsters and possibly the findings of their research and its effects on voters.

### **1.3 Research Objectives**

The objectives of the study were;



1. To investigate the factors that influence electoral opinion polling in Kenya.
2. To find out the factors that influence people's voting patterns in Kenya.
3. To determine the extent to which legislation influences voter's access to credible, reliable and representative polls.
4. To investigate the role of communication in creating awareness about electoral opinion polls.

### **1.3.1 Research Questions**

This study was guided by the following research questions;

1. What factors influence electoral opinion polling in Kenya?
2. What factors influence people's voting patterns in Kenya?
3. To what extent does the legislation influence voter's access to credible, reliable and representative polls?
4. What is the role of communication in creating awareness about electoral opinion polls?

### **1.4 Justification of the Study**

This study was crucial as its findings will benefit electors in Kenya if and only if the publications of the electoral opinion polls results have adequate information which can help them make right decision. This will serve as a "healthy warning" about the validity of the poll and can help avoid situations in which voters place undue reliance on the poll. It will too serve to reduce the behavioral attitudes of the electorate brought about by the bandwagon and undergo effects. To the political parties it will establish a fair ground for playing politics. It will give credibility to pollsters as reliable sources of information and building their corporate

image to the publics. Lastly, the findings of this study will serve as a worthwhile feedback to the government, politicians and policy makers in that it will help them to know citizen's satisfaction with service delivery, their perceived national priorities, their political preference and their attitudes on the state of social matters, economy and politics.

### **1.5 Scope of the Study**

This study is a new phenomenon in Kenya. It focused on the effects of legislation on electoral opinion polls. The study limited itself to only one county (Nairobi County) in Kenya. Nairobi is a cosmopolitan city and is the commercial and political center for the nation - Kenya. Thus, the main pollsters (Infotrack Harris, Ipsos – Synovate, Consumer Insight and Strategic Africa which before was called Strategic PR & Research) were represented.

### **1.6 Operational Definition of Terms**

**Polls:** In this study it is used to refer to sample surveys designed to uncover information about a defined population through questioning a representative sample on matters politics.

**Opinion polls:** In this study it refers to a method of analysis for drawing inferences about the attitudes or behaviours of a population by studying a random sample of persons from that population.

**Electoral opinion polls:** In this research it is used to mean a survey of the public opinion or a sample of the public opinion to assess the views of the electorate on various matters relating to an election, political candidates or political issues.

**Pollsters:** In this study it is used to refer to the professional institutions dedicated to working with polls on matters relating to an election, political candidate or political issues. They can too be referred to as opinion polling agencies / institutions. These pollsters in Kenya are: Infotrack Harris, Ipsos – Synovate, Consumer Insight and Strategic Africa.

**Electoral campaigns or political campaigns:** In this study it refers to an organized effort which seeks to influence the decision making process within a specified group – the voters.

**New legislation:** In this research it refers to the new law which has been promulgated or enacted by the process of making it to restrict the publication of electoral opinion polls within a specified electoral period. It is too used to mean an Act of Parliament.

**Publication:** In this study it means making electoral opinion polls content available to the general publics.

**Regulation:** In this research it refers to a legal restriction promulgated by a government authority that limits or constrains a right, creates a duty or allocates a responsibility.

**Freedom of speech or expression:** In this study it refers to one's political right to communicate his / her opinions and ideas. It includes any act of seeking, receiving and imparting information or ideas through any media of one's choice.

**Electorate:** In this research it refers to individuals entitled to vote in an election – the voters.

## CHAPTER TWO

### LITERATURE REVIEW

#### 2.0 Introduction

Today electoral opinion polls are conducted in nearly all democratic countries / regions, and the results of these surveys are used to help shape and fine-tune the policies that are proposed to the public. They are mirrors, permitting individuals to understand where they fit into the political system. Media reports of the results of opinion polls tell readers and listeners that their opinions are important, and can even sometimes be more important than the opinions of the elite (opinion leaders). ESOMAR / WAPOR guide to public opinion polls and survey (2009) noted that opinion polls are valuable to democracies, thus those who conduct and report them must be both transparent and accurate. They must provide their methodology and realistic interpretation of data. On the other hand, polls have become a major source of information and interpretation on the nature of public opinion, thus the role of journalism is said to have changed from that of articulating the public mood to merely reporting on events. Therefore, pollsters frequently work for the media because poll results have become news in themselves.

In many countries, electoral opinion poll results provide the electorate with information about voter preferences in upcoming elections. They inform the voter about the level of support in each candidate in an electioneering process. In contrast, ESOMAR/ WAPOR (2012) noted that about equally many countries prohibit the release of such information in a given period prior to Election Day. In their 2012 worldwide survey of eighty five (85) countries; it indicated that forty five (45) have no embargo on poll releases; thirty eight (38) ban publication of electoral opinion polls in a period ranging from a day to a month before elections and two (2) did not disclose any information. They reported that the main reasons given for such restrictions are: -

1. National security,
2. The right of privacy and
3. Protecting the democratic process.

In France, the 1992 French referendum on Maastricht Treaty highlighted the dangers of two – speed access to information. ESOMAR / WAPOR (2012) on the same script noted that small investors in France were denied right to monitor and consider the evolution of the views of the electorate, while large financial organisations commissioned daily private polls which enabled them to foresee the ups and downs of the European monetary system. This was the unforeseen result of the French law prohibiting the publication of poll results a week before the referendum. The aim of this law was to protect the citizens against abuses and manipulations in their vote preferences. Thus, voters need a quiet period in which they can reflect for a few days before casting their votes.

Due to these reasons, countries / regions have enforced a law restricting the publication of electoral opinion poll results before and after Election Day. Examples of countries with bans include Canada, Mexico and Switzerland amongst others.

However, Article 19 Law Programme (2012) asserts that it is uncontroversial to state that democracy depends on the fair and equitable communication of all contesting points of view so that the people may make informed choices. As noted by the European Court of Human Rights in the case of *Bowman v. United Kingdom*, the right to free elections (under Article 3 of the European Convention on Human Rights (ECHR)) and freedom of expression (under Article 10 of the ECHR) operate to reinforce one another and “together form the bedrock of any democratic system.” Freedom of expression, the Court continued:

“is one of the “conditions” necessary to “ensure the free expression of the opinion of the people in the choice of the legislature. For this reason, it is particularly important in the period preceding an election that opinions and information of all kinds are permitted to circulate freely” (Bowman v. United Kingdom, decision of 19 February 1998, application No. 24839/94).

Although to some extent they support the ban of publication of electoral opinion poll results, they hold that opinion polls should be accompanied by information to assist viewers / listeners to understand the poll’s significance, such as who conducted, commissioned and paid for the poll, the methodology used, the sample size, the margin of error, and the fieldwork dates. This will help the voters to make informed decisions on their preferred voting choices.

Further, electoral opinion poll results can influence the voter in his or her vote preference. According to Noelle-Neumann's (1984) concept of the spiral of silence, voters move in the direction of perceived leaders in races for social acceptance reasons rather than tactical considerations. Academics in the United States have long been divided over the impact of published polls on the outcome of elections; recent research supports the proposition that their publication can influence a close election, with the most impact occurring late in a campaign. Recent studies in Canada also support the notion that polls published during political campaigns can create the "politics of expectations," a situation that stimulates the bandwagon effect and promotes "strategic voting," in which voting is influenced by the chances of winning. For example, citizens may cast ballots for their second-choice candidate who appears to have a better chance than the first choice of defeating a disliked candidate or party. Such behaviour is said to be increasing in Canada as close three-party races become more common. It is therefore argued that voters making such strategic choices have every right to expect that the results of opinion surveys are scientifically valid.

Polls may have a "demotivating" effect (when voters abstain from voting out of certainty that their candidate or party will win), a "motivating" effect (when individuals who had not intended

to vote are persuaded to do so), and a "free-will" effect (when voters cast their ballots to prove the polls wrong).

Therefore, voters may use this information when deciding whether to vote or abstain. For example, if a poll indicates that a vast majority of the electorate supports either of the two candidates, some voters may assume that the outcome of the election is obvious with or without their vote and choose to abstain, as would be predicted by rational choice theory (Downs, 1957). Other voters who support the strong candidate may decide to jump on the bandwagon and vote where they would otherwise have abstained. Both examples of responses to a poll release show how knowledge about public opinion may influence the decision to vote or abstain.

In Kenya electoral opinion polls are a new phenomenon. Hornsby (2002, as cited by Wolf, 2009) posits that while there was some polling during the period of Kenya's independence transition, it was only with the return to multiparty politics in 1992 that a domestic opinion survey industry gradually emerged. Its full blossoming, however, awaited the departure of the autocratic President Daniel arap Moi. At the same time, such activity was an offshoot of Kenya's commercial dominance in East Africa, where market research of various types, drawing on techniques and expertise from many of the multinational corporations represented there, had become established practice. In this less constrained atmosphere, several companies came to prominence: Strategic Public Relations (now Strategic Africa), Infotrak-Harris, Consumer Insight, and, especially, the Steadman Group (now Ipsos - Synovate). The trajectory of the polling industry in Kenya is thus itself a quite precise 'barometer' of the prevailing governance environment.

Although there has been no much research or study on public opinion polls in Kenya; Wolf (2009) affirms that a poll showing one leader less popular than another, or not appearing at all,

or who had lost even a few percentage points over a given period of time was seen, nevertheless, as highly damaging. It was assumed that such results could create a ‘bandwagon’ effect by depressing further the votes for any candidate whose bid appeared unviable, or who was even just losing ground. Further, a local columnist argues that:

It is absolutely unscientific and undemocratic to seek to pinpoint ‘majority opinion’ by throwing a few leading questions at individuals, chosen at random, who are likely to be totally ignorant of the social implications of the questions facing them. In any case, what exactly is the social value of knowing in advance which candidate a correspondent will vote for? Indeed, isn’t it dangerous? In a society where real issues matter so little, figures such as Steadman tosses around can powerfully sway the mass as to whom to vote for. (P. Ochieng, ‘Does Steadman take intelligence into account?’ SN, 8 April 2008)

This is a pointer of how publication of electoral opinion poll results can influence the voters to make undecided choice. Njogu (2008, quoted in ‘Polling and the Kenyan media’, *Expression Today*, as cited by Wolf, 2009) holds that polls can create a sense of confidence that one candidate is winning and lead to despair on the other side. In places where voters are not sure if their candidate is winning, they can cross over. They shape opinion and that is why we fear manipulation by polling groups.

## **2.1 Factors Influencing Electoral Opinion Polls in Kenya**

According to Mitchell (1992, as cited in Macreadie, 2011), there are numerous factors and conditions, constraints and reservations that influence the outcome of opinion polls, such as: the types of questions asked, and the order in which they are asked; the sample size; the methodology employed; the timing of polls in relation to elections or events; the different approaches in dealing with ‘don’t know’ and ‘non’ responses; and the contemporary situation or context surrounding the poll.

Electoral opinion polls are a new phenomenon in Kenya. There has been no much study in this field. However, according to the Bill on Publication of Electoral Opinion Polls, 2011; it can be noted that lack of scientific threshold of the local survey influences the electoral opinion polls



in Kenya. On the other hand, Dr. Khalwale (as cited in DN, 2011) argues that rich politicians and businesspeople have used opinion polls for long time to manipulate electoral opinion poll results to suit themselves and their candidates. This means that if the polls are influenced by individuals then the results are not transparent hence they don't reflect the will of the people.

## **2.2 Factors Influencing People's Voting Patterns in Kenya**

Several authors suggest that voting behavior in Africa is predominantly influenced by some form of identity factor such as ethnicity, family lineages, religion, region, gender, party affiliation etc. (Bratton and Van de Walle 1997; Barkan 1979; Ferree 2004, 2008; Lindberg et al 2008; as cited in Kimenyi et al., 2008). Substantial empirical evidence supports the view that the African is primarily an "identity" voter. In essence, voting in Africa is in many cases nothing more than an ethnic census. An individual voter uses ethnicity as the proxy for the expected benefits for voting for a particular candidate. Simply, voting in Africa is considered to be largely dependent on ethnic identification. Fridy (2007, as cited in Kimenyi et al., 2008) for example concludes that ethnicity is an extremely significant factor in Ghanaian elections. Likewise, Erdmann (2007, as cited in Kimenyi et al., 2008) finds that voter alignment and party affiliation are largely influenced by ethnicity. Thus, although not exclusively, political parties in Africa tend to be dominated by particular ethnic groups rather than being on the basis of ideology. In other cases, voting seems to go beyond ethnicity. In a study of the 1994 Malawi's general election, Kalipeni (1997, as cited in Kimenyi et al., 2008) shows that regionalism was the dominant factor explaining voting patterns. In a study of Nigerian elections, Lewis (2007, as cited in Kimenyi et al., 2008) observes that while identity is important in Nigerian politics, ethnicity is not the only axis of identification. Identity in Nigeria takes many dimensions such as ethnicity, economic and religion.

In Kenya, some scholars argue that ethnic identities and the history of ethnic antagonism characterise Kenyan society. These are key factors in understanding the current political situation in Kenya. Jeffrey Steeves (2006, as cited in Archer, 2009), for instance, states when writing about Kenya that “the individual in Africa is defined by one’s ethnic community and thus one’s loyalty and actions are framed within an ethnic identity. Given the ethno-regional character of African countries, political leadership is bounded by and serves the ethnic community”. According to Thomassen (2005, as cited in Archer, 2009) the argument is that if you belong to a certain segment of society and there is a political party present who represents that particular segment, you would vote for that party.

According to Kimenyi et al. (2008) it can be noted that before 1991, the Kenya appeared politically united and elections were held on regular basis without major problems although the president had a lot to say about which candidates were cleared by the party to compete in the elections. Analysis of voting behaviour based on aggregate data suggests that, since the return of multiparty democracy in 1991, ethnicity has been a dominant factor in explaining voting patterns in Kenya (Kimenyi 1997; Muigai 1995; Orvis 2001, as cited in Kimenyi et al., 2008).

Basically, it seems that members of particular ethnic groups mostly join the same parties and primarily support the same candidates. Many analysts have therefore concluded that voting in Kenya, like in many other African countries, is merely an “ethnic census.” Oyugi (1997, as cited in Kimenyi et al., 2008) for example shows that ethnicity was the most defining factor in the 1992 elections. Not only were political parties formed along ethnic lines, but also voting was primarily in ethnic blocks. This pattern was repeated in the 1997 general elections. However, in the 2002 elections, several ethnic groups came together to form a grand coalition. By and large, the recent elections in Kenya have taken a clear ethnic dimension. For instance, this is well portrayed in the last Kenya presidential election results 2013. The two main

presidential candidates scored highly from their home regions. The results indicated that the two main presidential candidates scored highly from their home regions and their running mates regions. For instance, Uhuru Kenyatta scored 93.92% in central his home region and 72.22% in rift – valley where his running mate hails from. Raila odinga scored 86.83% in nyanza his home region and 79.53% from Kitui County, 85.89% from Machakos County and 90.73% from Makueni County where his running mate hails from (Kenyan Presidential Election, 2013).

Further, Kimenyi et al. (2008) notes that it might be misleading to conclude that voting in Kenya is influenced purely by identity. First, it would suggest that all individuals in an ethnic group vote the same way regardless of age, gender, income group or profession. Although majority of voters from a particular group may vote for a particular candidate or issue, aggregate data does not for example reveal whether the poor and the rich, or young and old, exhibit similar voting patterns. Second, it could be that ethnicity correlates with other factors such as poverty, income, unemployment, etc. As such, many members of a group may vote against an incumbent not because he or she is a member of a different ethnic group but because they may consider the incumbent as having failed to deal with creating opportunities for growth in their regions.

Moreover, Kimenyi et al. (2008) notes that while ethnicity is important, it is but one of other factors such as policy performance of the incumbent, economic conditions, etc. that influence voter preferences. Furthermore, he found that how Kenyans identify themselves is itself an important determinant of voting choices.

Furthermore, electoral behaviour is found in clientelism. In a society built on political clientelistic networks voters would vote for the preferred party of their patrons in exchange for social or economic gains. Lemarchand (1972, as cited in Archer, 2009) characterise political clientelism as “a more or less personalised relationship between actors (i.e., patrons and clients),

or a set of actors, commanding unequal wealth, status or influence, based on conditional loyalties and involving mutually beneficial transactions.” A patron-client relationship may for instance exist between the elder in a clan and the rest of the clan or directly between the constituency’s MP (Member of Parliament) and the citizens of that constituency. The purpose of a clientelistic network is thus the exchange of resources and ensuring a particular distribution pattern. Many African societies have been characterised as clientelistic, Kenya among them. Keefer (2007, as cited in Archer, 2009) argues that clientelist politics is most attractive in conditions of low productivity, high inequality, and starkly hierarchical social relations, mainly in young democracies. Under these conditions, regular citizens have a hard time believing the different political parties and leaders because they do not see any change in their living conditions, no matter who governs the country. One strategy that political parties and leaders tend to use in these societies is to rely on patrons, whose clients trust them but not the candidates. By relying on patrons, candidates do not have to invest their own resources in building credibility.

Candidates create new patron-client relationships with a certain number of elders who in exchange for large economic and social favours, will ensure that a great number of voters actually vote for this particular candidate (Keefer, 2007, as cited in Archer, 2009). In societies where clientelistic networks are prevalent voters will therefore choose the favoured political party of their patron in return for economic or social gains. For instance, in the last general election (2013) the jubilee presidential candidate Uhuru Kenyatta was endorsed by the *Njiru Ncheke* elders as the community’s preferred presidential choice (DN, February 2013).

### **2.3 Voter's Access to Credible, Reliable and Representative Polls**

The right to seek, receive or impart information or ideas is constitutionally guaranteed in Kenya under Article 33 of the Constitution of Kenya 2010. Additionally, Article 34(4) (c) places responsibility on the media to give a fair opportunity for divergent views. Guideline 12 of ARTICLE 19's Guidelines states:

If a broadcaster publishes the result of an opinion poll or election projection, it should strive to report the results fairly and, in particular, to publish all readily available information that would assist the listeners in understanding the poll's significance.

12.1. Opinion polls should be accompanied by information to assist viewers/listeners to understand the poll's significance, such as who conducted, commissioned and paid for the poll, the methodology used, the sample size, the margin of error, and the fieldwork dates (Article 19 Law Programme, 2012).

Further, the new legislation requires any initial publisher of the results of an electoral opinion poll to provide sufficient information to the public. This means that by providing the voter (public) with sufficient information it will assist them to make a judgement on the value of polls and thus make an informed voting decision. On the other hand, the pollster and medium used to communicate the polls results will earn credibility.

### **2.4 Role of Communication in Creating Awareness about Electoral Opinion Polls**

According to Tan (1985) Schramm defines communication as trying to share information, an idea, or an attitude. It is a process of active and interactive exchange between one or more transmitters and several receivers with the aim of getting people to adopt desirable and recommended attitudes and behaviour. The goal of this communication is to inform, educate, persuade and to satisfy the receiver's needs.

This being the role of communication in any organization; there seems apart from the polls results being publicized through the media, there are no studies showing how the publics are sensitized on electoral opinion polls and how journalists are trained on reporting them. Further,

there is no information on how the research assistants are trained in collecting data from the field.

## **2.5 Emerging Gaps in the Literature Review**

The following gaps emerged in the review of literature in this study:

1. There are no studies indicating what influences electoral opinion polls in Kenya. What is there are claims or rather assumptions (Electoral Opinion Polls in Kenya are biased and lack scientific threshold – {The Act, 2012}) which led to the legislation on publication of electoral opinion polls.
2. On what influences people's voting patterns; the available studies do not show that electoral opinion polls influence the voter's patterns.
3. On voter's access to credible, reliable and representative polls; it is not clear whether before or after legislation that voters have had sufficient information which can help them make informed decision on their vote preferences.
4. On role of communication in creating awareness on electoral opinion polls; there is no literature in Kenya which stipulates on how pollsters sensitize the publics on electoral polls and training of journalist in reporting of electoral poll results.

This study therefore sought to fill the emerging gaps as established from the review of literature.

## **2.6 Theoretical Framework**

### **2.6.1 The Spiral of Silence Theory**

This theory is one of the most prominent theoretical models of opinion formation and consensus building in modern societies. It describes the dynamics of public opinion in situations where the climate of opinion is shifting. It must be understood only in the light of these two tenets: pressure to conform and fear of isolation.

According to McQuail (2005) Noelle-Neumann's theory proposes that in order to avoid isolation on important public issues (like candidate or political party support), many people are guided by what they think to be dominant or declining opinions in their environment. People tend to conceal their views if they feel they are in minority and are more willing to express them if they think they are dominant. The result is that those views that are perceived to be dominant gain even more ground and alternatives retreat still further.

The main point here is that the mass media are the most readily accessible source for assessing the prevailing climate. They can significantly influence this theory. For instance, if a certain view predominates in the media, it will tend to be magnified in the subsequent stages of personal opinion formation and expression. Thus, if the media gives a misleading information on the prevailing public opinion then there is the likelihood of a biased public opinion to be formed.

On the other hand, due to the social nature of man, that is, the pressure to conform and fear of isolation; people are constantly aware of the opinions of people around them and adjust their behaviours (and potentially their opinions) to majority trends under the fear of being on the losing side of a public debate. This theory is therefore relevant to this study in the sense that it explains how people form their voting preferences when bombarded with electoral opinion messages. Electorates are swayed by the bandwagon effects rather than fearing social isolation.

### **2.6.2 The Two Step Theory**

This theory asserts that information from the media moves in two distinct stages. According to Katz and Lazarsfeld (1955), a message is sent out through the mass media; in step two, community level opinion leaders translates the message to the public. They noticed that political advertising was not making an immediate impact on voter behaviour. They theorized, therefore, that voters were influenced not by the mass media, but by the opinion leaders who

helped the public understand how to interpret mass media. Thus, the term 'personal influence' was coined to refer to the process intervening between the media's direct message and the audience's ultimate reaction to that message.

Opinion leaders are quite influential in getting people to change their attitudes and behaviours and are quite similar to those they influence. Baran (2002) notes that opinion leaders are those initially exposed to a specific media content, and who interpret it based on their own opinion. They then begin to infiltrate these opinions through the general public who become "opinion followers"

This theory is relevant to this study as it connotes how electorates are swayed by their opinion leaders (politicians / political activists and community elders) to form their voting preferences. It is understood that opinion leaders have followers, maintains contacts outside the group with the aim of providing information and opinions of interest to the group members. Further, they are more exposed to media content and are likely to read the national newspapers than the people they influence. This gives them their influential factor. For instance, in 2002 general election campaigns when Raila said "*Kibaki Tasha*" his followers' overwhelmingly voted for Kibaki. Thus, Raila formed the voting preference of his followers.



## **CHAPTER THREE**

### **RESEARCH METHODOLOGY**

#### **3.0 Introduction**

This chapter presents the methodology which was used in data collection and analysis. It explains the research design, sample population, sample size, sampling techniques, data collection methods, data analysis procedures and measurement of variables that were researched on.

#### **3.1 Research Design**

This study used a descriptive survey design to investigate the effects of the new legislation on publication of electoral opinion polls on the pollsters. Luck and Ruben (1992), as cited in Orodho, (2009) noted that descriptive survey designs are used in preliminary and exploratory studies to allow researchers gather information, summarize, present and interpret for the purpose of clarification. Further, Orodho (2009) posits that descriptive survey designs are methods frequently used for collecting information about people's attitudes, opinions, habits or any of the variety of education or social issues. Borg and Gall (1989:5, as cited in Orodho, 2009) asserts that descriptive survey design research is intended to produce statistical information about aspects of education that interest policy makers and educators. By involving category of stakeholders, the proposed study fits within the cross – sectional sub – types of descriptive survey designs.

According to Claire Selltiz (1962, as cited in Kothari, 1990) describes research design as the arrangement of conditions for collection and analysis of data in a manner that aims to combine relevance to the research purpose with economy in procedure. It is the conceptual structure within which research is conducted.

### **3.2 Study Site**

The locale of the study was in Nairobi County – Kenya. This is because the main pollsters are stationed and operate from this county.

### **3.3 Target Population**

This study targeted pollsters within Nairobi County in Kenya. The number of the registered research companies in Kenya is twelve (12) and among these only four (4) deal with electoral opinion polls (MSRA, 2013). The four pollsters and their internal employees formed the targeted population. The four (4) pollsters have a total of a hundred and sixty (160) internal employees. These are: Ipsos – Synovate – 50, Strategic Africa – 30, Consumer Insight – 35 and Infotrack Harris – 45 (Pollsters Kenya, 2013).

Mugenda and Mugenda (2003) define a population as an entire group of individuals, events or objects having a common observable characteristic. It is the aggregate of all that conforms to a given specification. The target population is a complete set of individuals that have common characteristics to which the researcher will be able to generalize the results of the study. According to Babbie (1998), a population is the entire group of individuals, events or objects having common observable characteristics. Mugenda and Mugenda (2003) describe a target population as the population which the researcher will generalize the results of the study.

### **3.4 Sample Size and Sampling Techniques**

#### **3.4.1 Sample Size**

The sample size for this study was forty eight (48). This comprised of eight (8) respondents for qualitative data and forty (40) respondents for quantitative data.

### 3.4.2 Sampling Techniques

This study used purposive sampling and systematic random sampling techniques for its sample size. From the twelve (12) registered research companies by Market and Social Research Association (MSRA), the four (4) main known research companies dealing with electoral opinion polls were purposively picked as the representative sample. Further, the researcher purposively picked two respondents from each opinion polling agency for interview schedule. The two respondents included the General Manager and Research Manager. Thus,

$$2 \text{ (respondents from @ pollster)} \times 4 \text{ (main pollsters)} = 8 \text{ respondents}$$

Mugenda (2003) asserts that purposive sampling allows the researcher to use cases that have the required information with respect to the objectives of his or her study. Further, he argues that cases of subjects are therefore hand-picked because they are informative or they pose the required characteristics.

The sample size of forty (40) was obtained using systematic random sampling. This technique consists of selecting every  $K^{\text{th}}$  case from a population. Thus,

$$\begin{aligned} \text{Sampling constant, } K &= \text{Population} \div \text{Sample size} \\ &= 160 \div 40 \\ &= 4^{\text{th}} \end{aligned}$$

From a target population of 160, the researcher selected at random a number between 4 and 160 starting with the number and select every 4<sup>th</sup> thereafter. Sudman (1976, as cited by Orodho, 2009) notes that this procedure has two requirements: a sampling interval and a random start. The sampling interval is merely the ratio of the number of cases in the population in the desired sample size. Random start refers to the process of using a table of random numbers or some

other device to select at random the initial case between 1 and K. Mugenda and Mugenda (2003) argues that to obtain a truly random sample using this method, the list of all members in the sampling frame must be randomized and then decide on the sampling interval. The purpose of this is to avoid systematic error in sampling.

Mugenda and Mugenda (2003) define sampling as the process of selecting a number of individuals for a study in such a way that the individuals selected represent the large group from which they were selected. On the other hand, Cooper (2003) asserts that sampling is selecting of some elements in a population. Cooper posits that the reasons for sampling are lower cost, greater accuracy of results and greater speed of data collection and availability of population elements. Deming (1960) argues that the quality of the study is often better with sampling than with census.

### **3.5 Data Collection Methods**

#### **3.5.1 Pilot Testing**

Both the questionnaires and interview schedules were pretested to a selected sample of six (6) respondents from one pollster. Mugenda and Mugenda (2003) affirm that the case in the pretest should not be very large. It should be between 1% and 10% of the sample size. This allowed the researcher to make meaningful observation like errors in the questionnaire, lack of enough space for the respondents to write, wrong numbering of the questions etc. The purpose for this was to enhance the validity of the instruments thus improving the questionnaires and interview schedules.

#### **3.5.2 Quantitative Data**

Quantitative data was collected using self-administered questionnaires. The questionnaires were structured and they had closed ended questions. The closed – ended questions were used to gain specific information.

Oso and Onen (2009) note that questionnaires are judged as most appropriate since they allow easy collection of data within a short period of time and within the limited financial capacity. Borg et al (1983, as cited in Orodho, 2009) asserts that questionnaire is feasible because it facilitates quick data collection. The questionnaire as data collection tool ensured anonymity of the respondents and the absence of the researcher guaranteed the respondents comfort.

### **3.5.3 Qualitative Data**

Qualitative data was collected through key informant interviews. According to Mugenda and Mugenda (2003), an interview is an oral administration of a questionnaire or an interview schedule. It is a face – to – face encounters. The purpose of using interviews is to provide in – depth data which is not possible to get using questionnaires, to obtain data required to meet specific objectives of the study and to get more information by using probing questions. In addition interviews yield higher response rates because it is difficult for a subject to completely refuse to answer questions or to ignore the interviewer.

The researcher used interview schedule as an instrument for collecting data in the interviews. Mugenda and Mugenda (2003) and Orodho (2009) describe an interview schedule as a set of questions that the interviewer asks when interviewing. They further affirm that interview schedules makes it possible to obtain data required to meet specific objectives of the study and it is used to standardize the interview situation so that interviewers can ask the same questions in the same manner. Thus, this study adopted semi – structured interviews.

Note taking during the interviews was used as the method of recording data. This facilitated data analysis since the information is readily accessible and already classified into appropriate categories by the interviewer. Tape recording if allowed by the interviewee was also be used. The purpose of this is that it can be played back and studied more thoroughly.

## **3.6 Validity and Reliability of Research Instruments**

### **3.6.1 Validity**

Validity concerns with the relationship between the data and the variable being measured. According to Field (2004) validity is the ability of a research instrument to measure what it ought to measure so that the difference in individual scores can be taken as representing true difference in the characteristics under study. Mugenda (2008) defines it as the degree to which an instrument measures what it purports to measure.

The content validity of the instrument was determined by discussing the items in the instrument with the supervisor and other colleagues in the school. The advice provided was effected by correcting the questionnaire so as to measure what it is under the study.

### **3.6.2 Reliability**

Reliability is concerned with the internal properties of a measure. It concerns with the consistency in the production of results by a research instrument if used by another researcher in another location. According to DeVellis (1991, as cited in Mugenda, 2008) reliability is the proportion of a variance attributable to the true measurement of a variable and estimates the consistency of such measurement overtime. It is a measure of the degree to which a research instrument would yield the same results or data after repeated trials. Field (2004) defines reliability of a test as the ability of that test to consistently yield the same results when repeated measurements are taken of the same individual under the same conditions.

To test the reliability of the questionnaire, pre – test through piloting was done. The reliability coefficient was determined using test – retest method because there is need to establish the stability of the data collection.

### **3.7 Data Analysis and Presentation**

Mugenda and Mugenda (2003) argue that the data obtained from the field in raw form is difficult to interpret. Thus, such data was cleaned, coded and key – punched into a computer and analyzed to make sense. The analyzed data was used to answer the research questions and to conduct a comparative analysis with the information obtained from secondary sources during literature review.

#### **3.7.1 Quantitative Data**

The analysis used descriptive statistics with the application of Statistical Package for Social Sciences (SPSS version 20). This enabled simple tabulation and arrangement of responses in a frequency distribution. Charts were too used to show percentages.

#### **3.7.2 Qualitative Data**

Qualitative data included behavior, attitudes, feeling and thoughts of the respondents. This data was captured and descriptively analyzed through themes / objectives. Data was presented thematically.

### **3.8 Ethical Considerations**

The research protocol was submitted to the Institutional Review Board (IRB) of the University of Nairobi (UoN) on behalf of National Council for Science and Technology (NCST) for ethical approval.

Permission was sought from the administrators to allow me to proceed with the study in Nairobi County.

Good and reliable research assistants or enumerators were trained on understanding the background, purpose and objectives of the study, population from which the sample is drawn,

geographic location of the study and methodology of data collection. This ensured reliable results.

The potential respondents were fully informed about the nature and purpose of the study, the procedures to be used and the expected benefits to the participants and the society at large. The participants were too assured of confidentiality and anonymity for any information they give. The participation in the study was voluntary, free of any coercion or promises of benefits unlikely to result from taking part. The respondents who verbally accepted to participate were allowed to proceed with their participation in the research study.

The findings of the study were to be disseminated in conferences both locally and internationally, in workshops and in articles published in local and international journals.



## **CHAPTER FOUR**

### **DATA ANALYSIS**

#### **4.0 Introduction**

This chapter presents presentation, data analysis and findings. The sample size of forty eight respondents (48) comprised of eight (8) respondents purposively selected and forty (40) respondents systematically selected from the four (4) pollsters in Nairobi County. For the presentation of data; themes, graphs, charts and frequency tables have been used.

#### **4.1 Respondents Overview**

The researcher had distributed forty (40) self – administered questionnaires and was to conduct eight (8) key informant interviews. All the self – administered questionnaires were received back. However, the researcher managed to conduct four (4) key informant interview. Thus, forty four (44) respondents participated in the study. This represented a response rate of 91.67% (92%). This was used for data analysis.

#### **4.2 Data Analysis**

The primary data in this study sought to address the following objectives:

1. An investigation of the factors that influence electoral opinion polling in Kenya.
2. An evaluation of the factors that influence people's voting patterns in Kenya.
3. Determination of the extent to which legislation influences voter's access to credible, reliable and representative polls.
4. An investigation of the role of communication in creating awareness about electoral opinion polls.

The objectives were anchored to the following research questions:

1. What factors influence electoral opinion polling in Kenya?
2. What factors influence people’s voting patterns in Kenya?
3. To what extent does the legislation influence voter’s access to credible, reliable and representative polls?
4. What is the role of communication in creating awareness about electoral opinion polls?

In this regard, the analysis of data was tied to the above objectives. Worth mentioning is that the study used both quantitative and qualitative approaches hence the use of survey questionnaires and interviews.

The findings have been compiled in line with the objectives and questions of the study in order to reflect the methodology used to generate the data. Further, the findings have been presented according to the instruments that were used by the researcher.

#### 4.2.1 Questionnaire Findings

#### 4.2.2 Demographic Results

The researcher categorized the respondents into gender, age, marital status and education level.

The demographic characteristics of the participants were as follows:

**Table 4.1 Descriptive Statistics of the Respondents**

Statistics		Gender	Age	Marital Status	Education
N	Valid	40	40	40	40
	Missing	0	0	0	0
Mean		1.3250	1.8250	1.2250	3.9750
Median		1.0000	2.0000	1.0000	4.0000
Std. Deviation		.47434	.38481	.42290	.57679
Skewness		.777	-1.778	1.369	-3.379
Std. Error of Skewness		.374	.374	.374	.374
Kurtosis		-1.473	1.220	-.135	19.060
Std. Error of Kurtosis		.733	.733	.733	.733
Minimum		1.00	1.00	1.00	1.00
Maximum		2.00	2.00	2.00	5.00

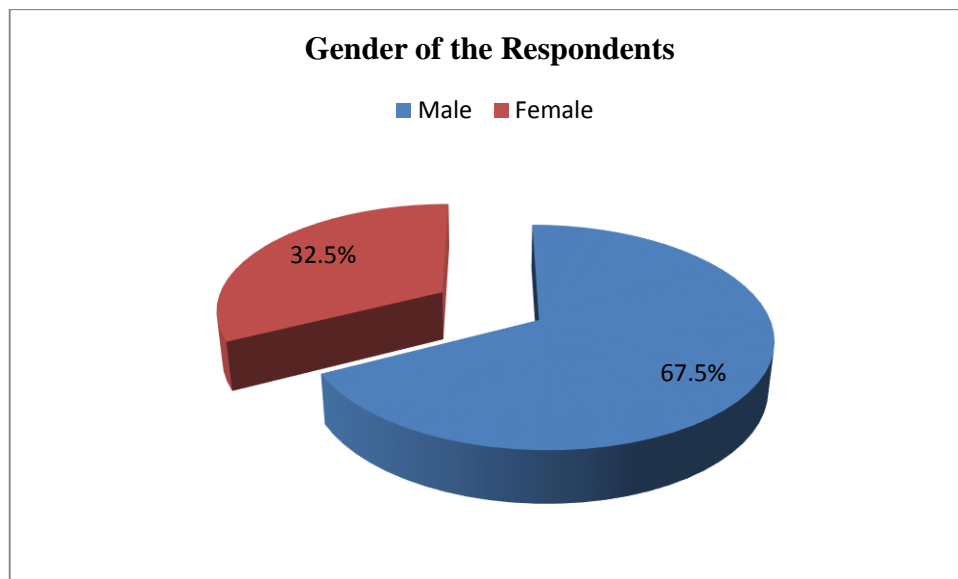
As it can be seen, the demographic aspects of the respondents, for instance, age, gender, marital status, and education differ across the board. The mean and standard deviations are not equal and this shows that the four demographic aspects were statistically significantly different from each other.

Proceeding to tables 4.2, 4.3, 4.4, and 4.5 the researcher demonstrates the frequency distribution tables for the same demographic surveys. Figures 4.1, 4.2, 4.3, and 4.4 represent the same data using pie charts.

**Table 4.2 Gender of the Respondents**

Gender		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Male	27	67.5	67.5	67.5
	Female	13	32.5	32.5	100.0
	Total	40	100.0	100.0	

**Figure 4.1: Pie Chart on Gender of the Respondents**

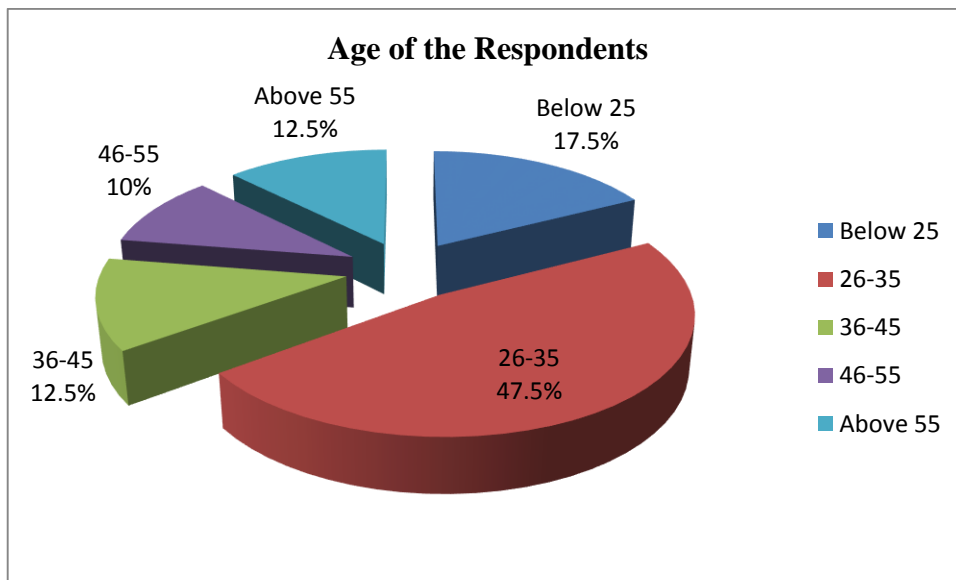


In terms of gender 67.5% of the respondents were males and 32.5% were females.

**Table 4.3: Age of the Respondents**

		Frequency	Percent
Valid	Below 25	7	17.5
	26-35	19	47.5
	36-45	5	12.5
	46-55	4	10
	Above 55	5	12.5
	<b>Total</b>	<b>40</b>	<b>100.0</b>

**Figure 4.2: Pie Chart on age of the Respondents**

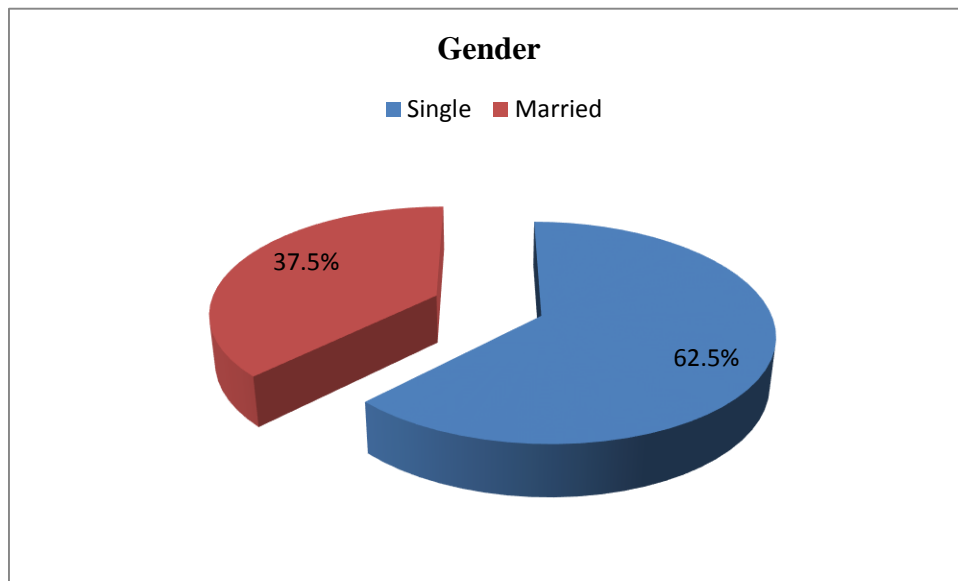


From above, it can be noted that 17.5% of the participants were below 25 years while 47.5% were in the age bracket 26-35 years. 12.5% fell in the age bracket 36-45 years and 10% age bracket 46-55 years then 12.5% were above 55 years.

**Table 4.4: Marital Status of the Respondents**

Marital Status					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Single	25	62.5	62.5	62.5
	Married	15	37.5	37.5	100.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

**Figure 4.3: Pie Chart on marital status of the respondents**

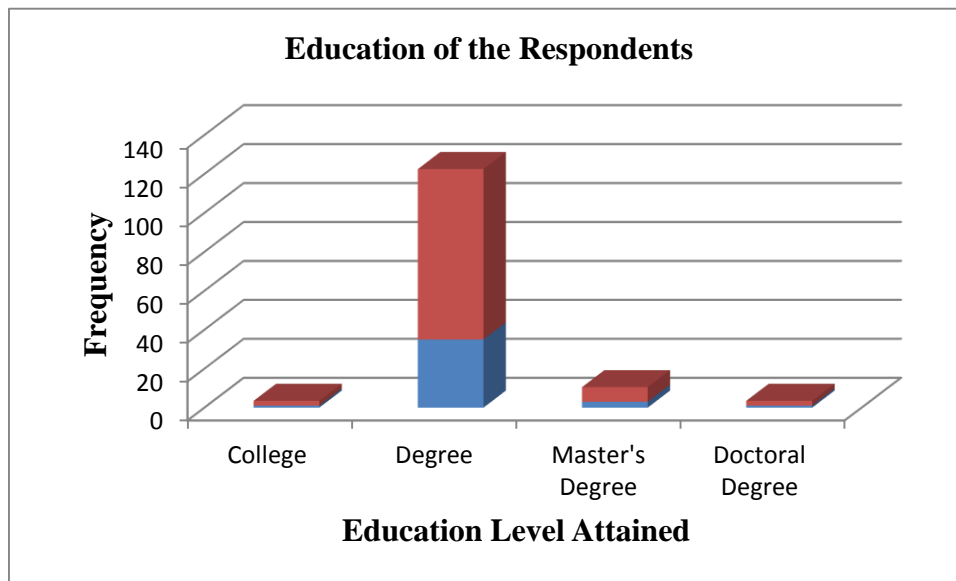


In relation to marital status 62.5% were single while 37.5% were married.

**Table 4.5: Education of the Respondents**

Education					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	College	1	2.5	2.5	2.5
	Degree	35	87.5	87.5	92.5
	Master's Degree	3	7.5	7.5	100.0
	Doctoral Degree	1	2.5	2.5	5.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

**Figure 4.4: Bar Graph on Education Level of the Respondents**



In the last demographic of education level, majority of the respondents reported to be graduates (87.5%) and three were in Masters' Degree level (7.5%). However, only one of the participants had attained college level education and the same case applied to Doctorate level. That said, the next section of the study will focus more on the main findings and address them in light of the objectives of the study as stated earlier.

### **4.2.3 Further Evaluation of Findings**

#### **4.2.3.1 Analysis of Objective 1**

This sought to investigate the factors that influence electoral opinion polling in Kenya. This was achieved through a factor analysis demonstrated in table 4.6 below. This was operationized using questionnaire items 24-36 (as in the coding system).

**Table 4.6: Factor analysis on the factors that influence electoral opinion polling in Kenya**

<b>Communalities</b>		
	<b>Initial</b>	<b>Extraction</b>
Media personnel competence on reporting of opinion poll results	1.000	.722
Presidential Candidates	1.000	.860
Political Parties to which candidates are affiliated	1.000	.870
Business People and funding agencies	1.000	.809
Methodology used in sampling and interviewing	1.000	.737
Government	1.000	.510
Financial ability of the Pollster	1.000	.809
Accessibility to the Regions to be polled	1.000	.753
Legislation on Electoral Opinion Polls	1.000	.691
Time period for Conducting Surveys	1.000	.614
Literacy levels of the Respondents	1.000	.837
The number of political parties to be on the ballot box	1.000	.530
The number of candidates vying for a particular political post	1.000	.814
<b>Extraction Method: Principal Component Analysis.</b>		

The factor analysis above illustrates the factors that influence electoral opinion polling in Kenya. The analysis looks at how each factor scored in the factor analysis. It can be seen that “political parties in which candidates are affiliated” (.870) had more factor loading than all others. It means the respondents felt it had more influence on electoral opinion polling in Kenya. This was followed by presidential candidates with factor loading of (.860). Literary level of the respondents had a factor loading of (.837) while the “number of candidates vying for a particular political post” had (.814). Government had a factor loading of (.510) thus being the least factor that was perceived to influence electoral opinion polling in Kenya. In the overall the factor loading analysis above not only illustrates the main factors that influence electoral opinion polling in Kenya but also the extent of each. As mentioned, if the factor loadings are sort from the greatest to the smallest then the reader would see clearly the extent of each.

#### 4.2.3.2 Analysis of Objective 2

In this objective the aim was to evaluate the factors that influence people’s voting patterns in Kenya. The researcher used the same approach as above, that is, factor analysis to not only take note of the factors but also establish their extent. Refer to table 4.7 below. The questionnaire items to capture the data were 14-23 (as in the coding system).

**Table 4.7: Factor analysis on the factors that influence people’s voting patterns in Kenya**

<b>Communalities</b>		
	<b>Initial</b>	<b>Extraction</b>
Media saturation on some particular candidates	1.000	.731
Ethnicity of Candidates	1.000	.747
Opinion Leaders Comments on some Candidates	1.000	.808
Socio economic Status of Candidates	1.000	.738
Major Events attended by Candidates	1.000	.748
Campaign by Political Candidates	1.000	.691
Literacy level of political Candidates	1.000	.822
Political consciousness of the electorate	1.000	.662
The party’s/individual’s manifesto	1.000	.838
Electoral opinion poll results	1.000	.593
<b>Extraction Method: Principal Component Analysis.</b>		

From the output for the factor analysis in table 4.7 it can be seen that “the party’s / individuals manifesto” (.838) had more factor loading than the rest. It means it was the most influential factor towards influencing people’s voting patterns in Kenya. This was seconded by “literacy level of political candidates” (.822) and “opinion leaders’ comments on other candidates (.808). However, “campaign by political candidates” had a factor loading of (.691), political consciousness of the candidates at (.662) and the lowest was electoral opinion poll results at (.593). The critical point is that the factor analysis illustrates the main factors influencing people’s voting patterns in Kenya and the one which is more influential. This was captured through the factor analysis.



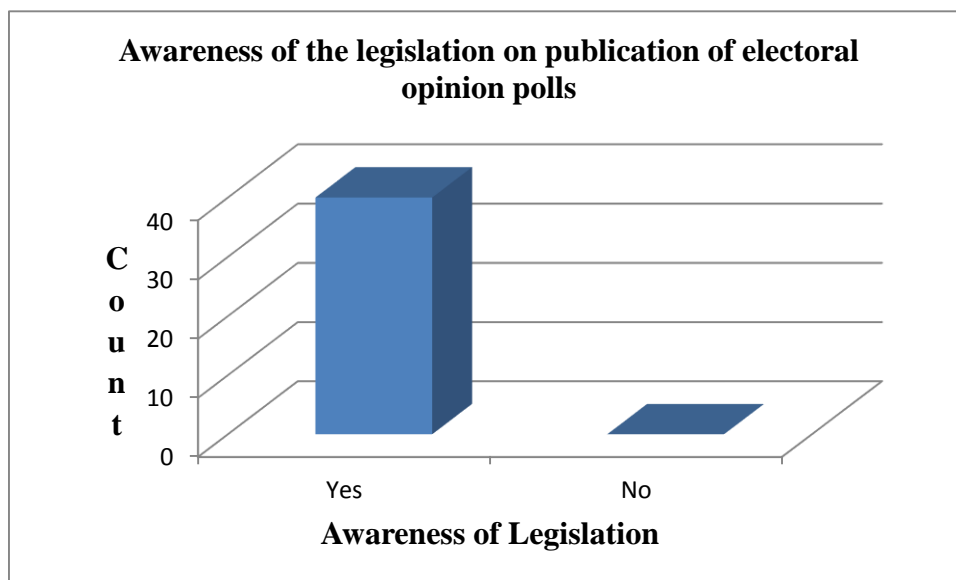
### 4.2.3.3 Analysis of Objective 3

This aimed to determine the extent to which legislation influences voter's access to credible, reliable and representative polls. In this survey, the study first sought to understand whether the respondents were aware of the legislation on publication of electoral opinion poll results. This can be traced in questionnaire item 7 (as in the coding system). The descriptive statistics for this result has been represented in table 4.8 below. Figure 4.5 below illustrates the same data using a pie chart.

**Table 4.8: Respondents awareness of the legislation on publication of electoral opinion polls**

	Frequency	Percent	Valid Percent	Cumulative Percent
Valid Yes	40	100.0	100.0	100.0

**Figure 4.5: Pie chart on awareness of the legislation on publication of electoral opinion polls**



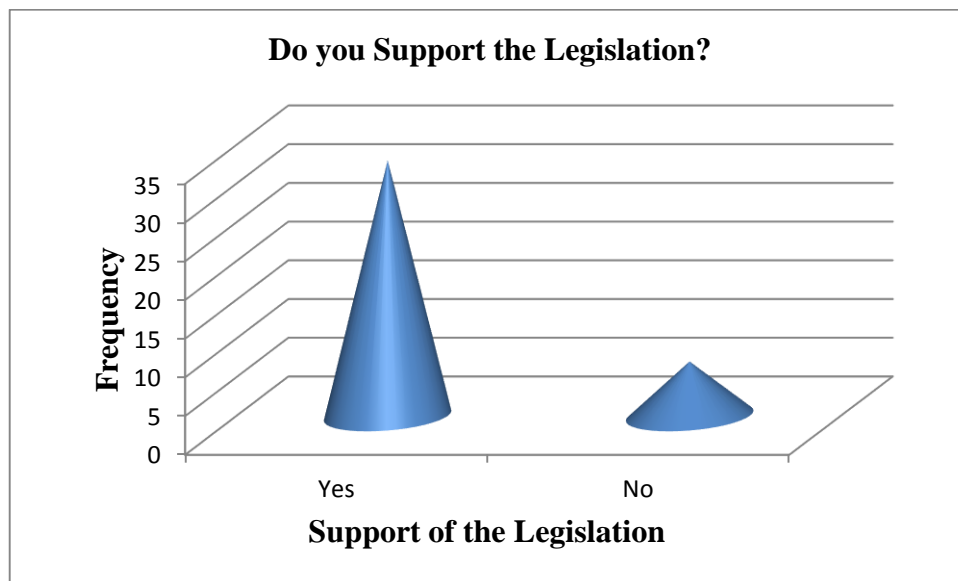
Overall, it can be seen that all the respondents were aware of the legislation on publication of electoral opinion poll results. Further, it was essential to establish whether the respondents supported the legislation. The results have been demonstrated in table 4.9 and figure 4.6 below.

**Table 4.9: Respondents’ views on whether they support the legislation**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	33	82.5	82.5	82.5
	No	7	17.5	17.5	100.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

From the output above it can be seen that 82.5% supported the legislation while 17.5% did not.

**Figure 4.6: Graphical representation on respondents’ views on whether they support the legislation**



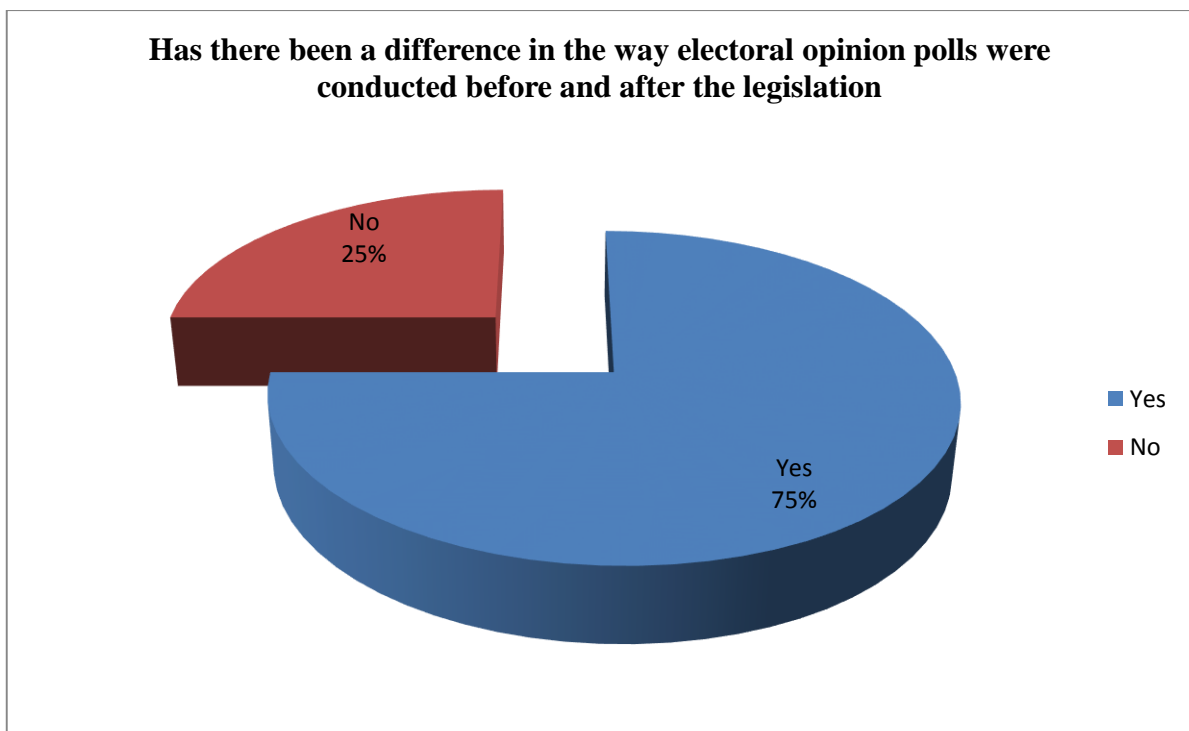
In line with the survey results above, the researcher further sought to establish from the respondents whether there has been a difference in the way electoral opinion polls were conducted before and after the legislation. Additionally, the other investigation was the extent of the difference. This was demonstrated in table 4.10 and figure 4.7 below.

**Table 4.10: Respondents’ views on whether there is difference in the way electoral opinion polls were conducted before and after the legislation**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	30	75.0	75.0	75.0
	No	10	25.0	25.0	95.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

It was evidenced that 75% of the respondents believed there was a difference in the way electoral opinion polls were conducted before and after the legislation while 25% did not agree with the issue.

**Figure 4.7: Illustration on whether there is difference in the way electoral opinion polls were conducted before and after the legislation**



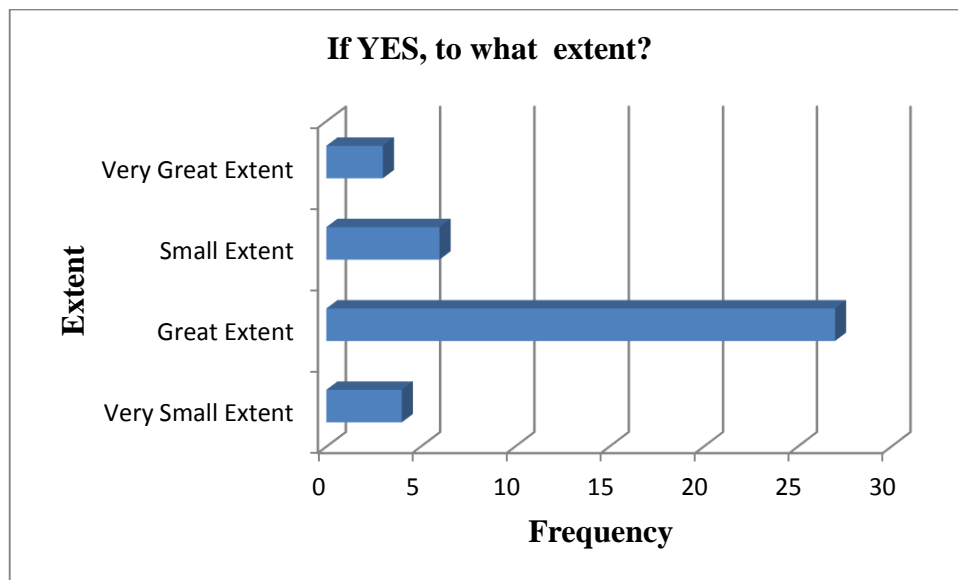
The other part of the data analysis was to demonstrate the degree to which if the legislation influences voter’s access to credible, reliable and representative polls and to what extent that might have been. This was illustrated in table 4.11 and figure 4.8 using a bar graph below.

**Table 4.11: Respondents’ views on the extent of the difference in the way electoral opinion polls were conducted before and after the legislation**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very Small Extent	4	10.0	10.0	10.0
	Great Extent	27	67.5	67.5	77.5
	Small Extent	6	15.0	15.0	92.5
	Very Great Extent	3	7.5	7.5	100.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

From the results 67.5% indicated the difference was to a “great extent”, 6% “small extent”, 4% “very small extent”, and 3% said it was to a “very great extent”.

**Figure 4.8: Bar graph representation on the extent of the difference in the way electoral opinion polls were conducted before and after the legislation**



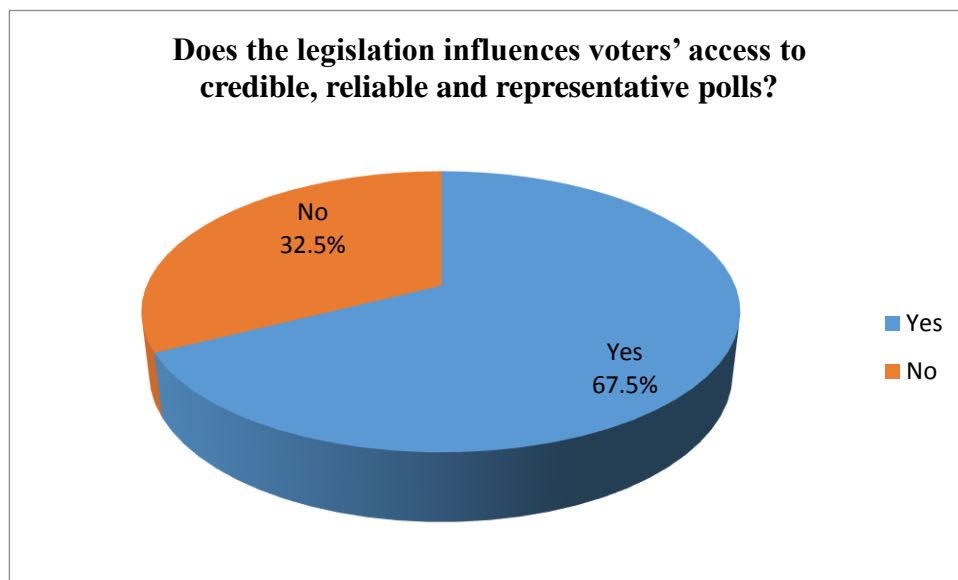
The most fundamental result was the opinion of the respondents on what they thought about the legislation and whether it influenced voter’s access to credible, reliable and representative polls. This was in tandem with objective three of this study.

**Table 4.12: Respondents’ views on whether legislation influences voters’ access to credible, reliable and representative polls**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	27	67.5	67.5	67.5
	No	13	32.5	32.5	100.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

From the results it can be seen that 67.5% said yes meaning legislation influences voters’ access to credible, reliable and representative polls and 32.5% said no in regard to the same issue.

**Figure 4.9: Pie chart on whether legislation influences voters’ access to credible, reliable and representative polls**

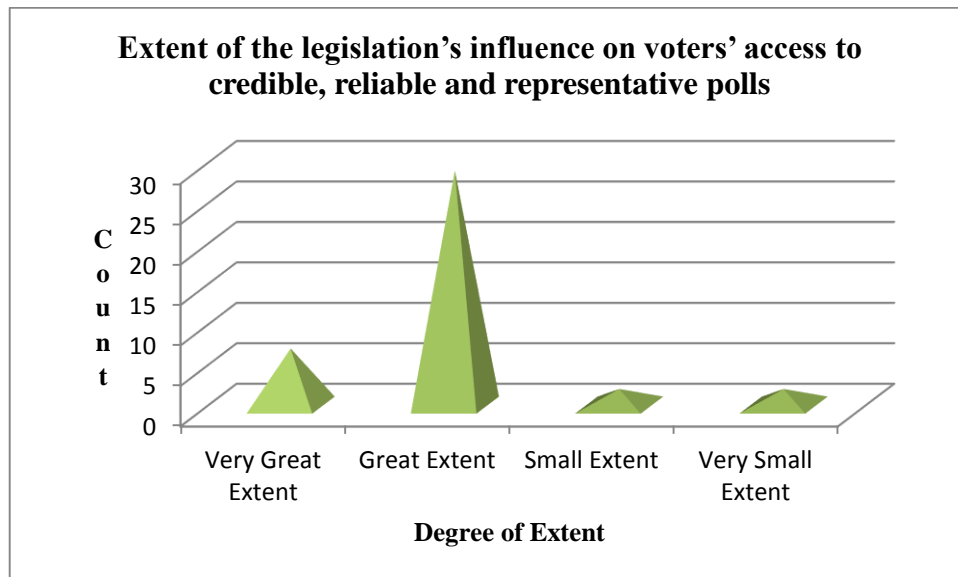


The other analysis was to establish the extent to which the respondents agreed regarding whether legislation influences voters’ access to credible, reliable and representative polls. This was captured as illustrated in table 4.13 and figure 4.10 below.

**Table 4.13: Respondents’ views on the extent of the legislation’s influence on voters’ access to credible, reliable and representative polls**

If YES, to what extent?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Very Great Extent	7	17.5	17.5	17.5
	Great Extent	29	72.5	72.5	90.0
	Small Extent	2	5.0	5.0	95.0
	Very Small Extent	2	5.0	5.0	100.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

**Figure 4.10: Bar-graph representation on the extent of legislation’s influence on voters’ access to credible, reliable and representative polls**



#### 4.2.3.4 Analysis of Objective 4

This part of the analysis sought to investigate the role of communication in creating awareness about electoral opinion polls. Under questionnaire item 47 (as per the coding system) the researcher sought to understand the opinion of the respondents on what they thought was the role of communication in electoral opinion polls. Better still; whether they thought communication played any role in electoral opinion polls. The results were as follows:

**Table 4.14: Respondents’ opinion on whether there is any role of communication in electoral opinion polls**

		<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>	<b>Cumulative Percent</b>
<b>Valid</b>	Yes	37	92.5	92.5	92.5
	No	3	7.5	7.5	100.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

It can be seen from table 4.14 that 92.5% said communication has a role to play in electoral opinion polls while 7.5% did not agree with the issue. However, from objective 4 what needed to be addressed was whether there was any role of communication in creating awareness about electoral opinion polls. This was not directly captured from the respondents as other related surveys assessed the most effective communication channels especially the ones used in disseminating and creating awareness of electoral opinion polls. Nonetheless, the researcher sought to assess if there was any supported positive relationship between what the respondents thought was the role of communication in electoral opinion polls and one of the factors that influenced electoral opinion polling in Kenya. Here, the researcher referred to table 4.6 developed earlier but selecting the factor that had the highest factor loading. Therefore, the Pearson correlation was carried out between the factor representing “Political Parties to which candidates are affiliated” and “position on whether communication plays any role in electoral opinion polls”.

**Table 4.15: Correlation test on the relationship between “Political Parties to which candidates are affiliated” and “position on whether communication plays any role in electoral opinion polls”**

		Political Parties to which candidates are affiliated	Communication plays any role in electoral opinion polls
Political Parties to which candidates are affiliated	Pearson Correlation	1	.358*
	Sig. (2-tailed)		.023
	N	40	40
Communication plays any role in electoral opinion polls	Pearson Correlation	.358*	1
	Sig. (2-tailed)	.023	
	N	40	40
*. Correlation is significant at the 0.05 level (2-tailed).			

It can be seen that there exists moderate positive linear relationship between the two variables since the Pearson correlation was to (.358\*). In the same respect the significance level was at (.023) meaning there was supported positive relationship to the same variables. On this backdrop, one could then proceed to affirm that communication did have some degree of influence in electoral opinion polls in Kenya. The researcher went ahead to run a multiple regression analysis in order to further determine whether communication in any way had a role in electoral opinion polls.



**Table 4.16: Multiple regression analysis on “Political Parties to which candidates are affiliated” and “position on whether communication plays any role in electoral opinion polls”**

Coefficients						
Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	2.052	.755		2.716	.010
	Communication channels do you use in disseminating and creating awareness of electoral opinion polls	-.083	.285	-.140	-.290	.773
	Most effective communication channel	.066	.340	.094	.194	.847
	Communication plays any role in electoral opinion polls	1.450	.709	.343	2.044	.048

**a. Dependent Variable: Political Parties**

From the multiple regression analysis it can be seen that communication channels used in disseminating and creating awareness of electoral opinion polls (.773) did not have any predictive significance on the variable representing factors influencing electoral opinion polls in Kenya. This was the same case to the most effective communication channels (.847). However, communication playing any role in electoral opinion polls (.048) significantly predicted the variable representing factors influencing opinion polling in Kenya.

#### **4.2.3.5 Other Evaluation of Data**

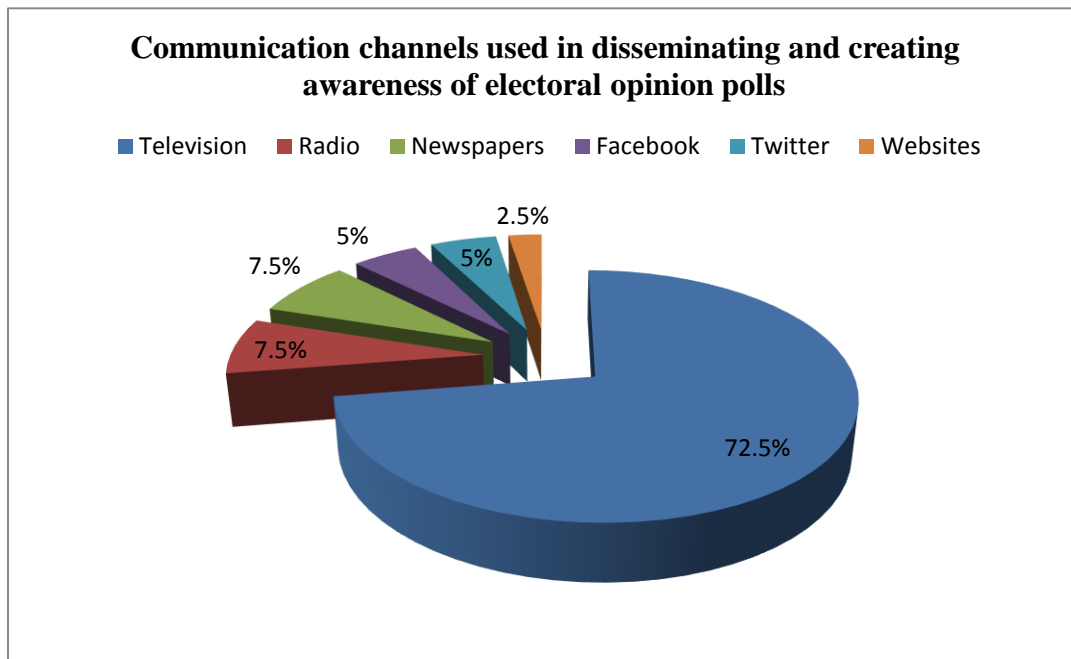
The study established the communication channels used in disseminating and creating awareness of electoral opinion polls.

**Table 4.17: Descriptive statistics on communication channels used in disseminating and creating awareness of electoral opinion polls**

		<b>Frequency</b>	<b>Percent</b>	<b>Valid Percent</b>	<b>Cumulative Percent</b>
<b>Valid</b>	Television	29	72.5	72.5	72.5
	Radio	3	7.5	7.5	80.0
	Newspapers	3	7.5	7.5	87.5
	Facebook	2	5.0	5.0	92.5
	Twitter	2	5.0	5.0	97.5
	Websites	1	2.5	2.5	100.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

As it can be seen majority of the respondents, for instance, 72.5% indicated television as the communication channel used in disseminating and creating awareness of electoral opinion polls while 7.5% settled for radio. Additionally, 5% selected Facebook and Twitter while 2.5% settled on Websites. See figure 4.11 for the same data presentation.

**Figure 4.11: Pie chart on respondents’ views on communication channels used in disseminating and creating awareness of electoral opinion polls**



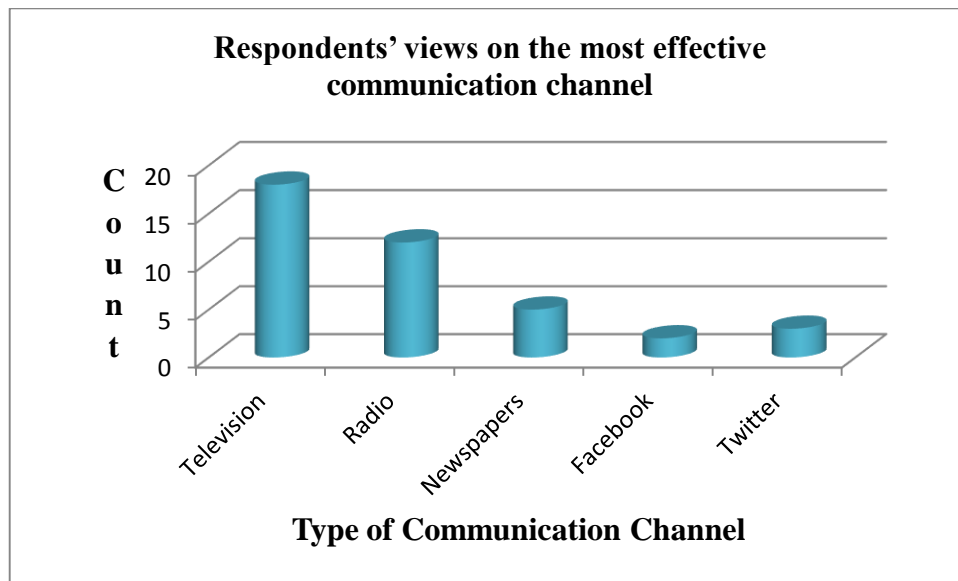
Another survey related to the one above but then took note of the respondents’ opinion on the most effective communication channel used in disseminating and creating awareness of electoral opinion polls.

**Table 4.18: Respondents’ views on the most effective communication channel**

		Frequency	Percent	Valid Percent	Cumulative Percent
<b>Valid</b>	Television	18	45.0	45.0	45.0
	Radio	12	30.0	30.0	75.0
	Newspapers	5	12.5	12.5	87.5
	Facebook	2	5.0	5.0	92.5
	Twitter	3	7.5	7.5	100.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

From the distributions above 45% of the respondents indicated that television was the most effective communication channel while 30% indicated it was radio and 12.5% thought it was Newspapers, 5% Facebook, 7.5% Twitter and 0% for Websites.

**Figure 4.12: Graphical representation of respondents' views on the most effective communication channel**



Further, the study established from the respondents the extent to which they thought the public are aware of the electoral opinion polls.

**Table 4.19: Respondents' views on the extent of awareness of the public on electoral opinion polls**

		Frequency	Percent	Valid Percent	Cumulative Percent
<b>Valid</b>	Very Great Extent	12	30.0	30.0	30.0
	Great Extent	20	50.0	50.0	80.0
	Small Extent	6	15.0	15.0	95.0
	Very Small Extent	2	5.0	5.0	100.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

From the results it can be seen that 30% indicated the public were aware of electoral opinion polls to a “very great extent”, 50% said it was to a “great extent”, 15% “small extent” while 5% said it was to a “very small extent”. The interest of the researcher was to evaluate whether the extent of awareness of the public on electoral opinion polls was statistically significantly different from the opinion whether voters believe and rely on the electoral opinion poll results. This scenario was captured through a paired sample t-test. See table 4.20 below.

**Table 4.20: Paired Sample t-test**

		Paired Differences					t	df	Sig. (2-tailed)
		Mean	Std. Deviation	Std. Error Mean	95% Confidence Interval of the Difference				
					Lower	Upper			
<b>Pair 1</b>	Do you think voters believe and rely on the Electoral Opinion Poll results? - 44. In your opinion, to what extent do you think the publics are aware of the electoral opinion polls?	-.52500	.55412	.08761	-.70222	-.34778	-5.992	39	.000

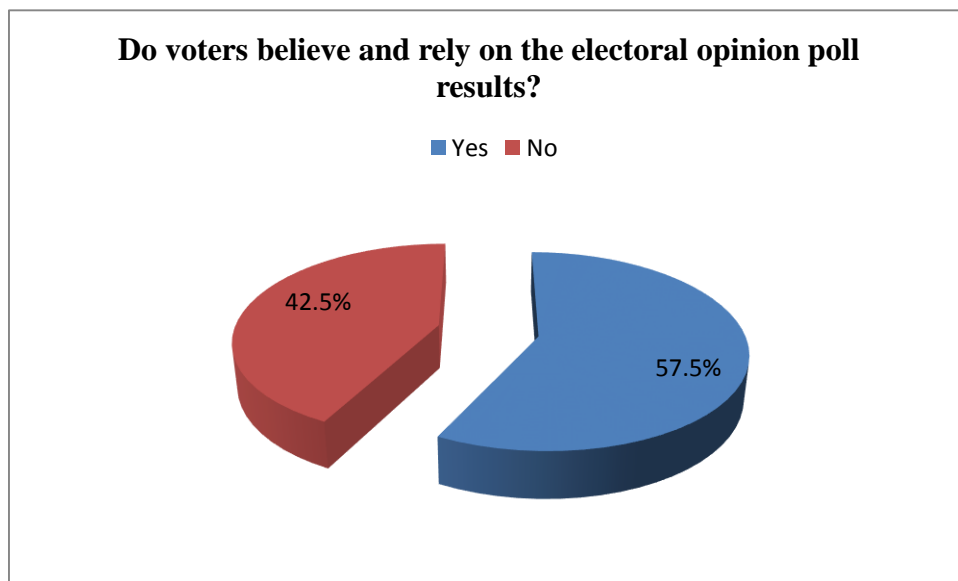
Evidently, with significance level of (.000) it can be said that voters believing and relying on the electoral opinion poll results was statistically significantly different from the extent of the public’s awareness of the electoral opinion polls. In addition to the same the respondents that thought voters believe and rely on the electoral opinion poll results were 57.5% and those that did not were 42.5%.

**Table 4.21: Respondents’ views on whether voters believe and rely on the electoral opinion polls**

Do you think voters believe and rely on the Electoral Opinion Polls?					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	23	57.5	57.5	57.5
	No	17	42.5	42.5	100.0
	<b>Total</b>	<b>40</b>	<b>100.0</b>	<b>100.0</b>	

The same data may be represented using a pie-chart as follows:

**Figure 4.13: Pie chart on respondents' views on whether voters believe and rely on the electoral opinion poll results**



The next undertaking was to assess if there are any correlation between voters believe and reliance on the electoral opinion poll results and the extent of the same. This was combined by another correlation on the whether the respondents thought politicians believe and rely on the electoral opinion poll results and the extent of this. See table 4.22 below.

**Table 4.22: Correlation matrix between voters believe and reliance on the electoral opinion poll results and the extent of the same**

<b>Correlations</b>					
		Do you think voters believe and rely on the Electoral Opinion Poll results?	If YES, to what extent?	Do you think politicians believe and rely on the Electoral Opinion Poll results?	If YES, to what extent?
Do you think voters believe and rely on the Electoral Opinion Poll results?	Pearson Correlation	1	.473**	.064	.353*
	Sig. (2-tailed)		.002	.696	.026
	N	40	40	40	40
If YES, to what extent?	Pearson Correlation	.473**	1	.380*	.678**
	Sig. (2-tailed)	.002		.016	.000
	N	40	40	40	40
Do you think politicians believe and rely on the Electoral Opinion Poll Results?	Pearson Correlation	.064	.380*	1	.172
	Sig. (2-tailed)	.696	.016		.288
	N	40	40	40	40
If YES, to what extent?	Pearson Correlation	.353*	.678**	.172	1
	Sig. (2-tailed)	.026	.000	.288	
	N	40	40	40	40
<b>**.</b> Correlation is significant at the 0.01 level (2-tailed).					
<b>*.</b> Correlation is significant at the 0.05 level (2-tailed).					

From the correlations above it can be seen that the respondents' perception on voters believe and reliance on the electoral opinion poll results had moderate linear relationship (.473\*\*) with the extent of the same. The significance level being at (.002) also indicated that such was a positive relationship. However, the relationship of the former with the respondents' perception on politicians believe and reliance on the electoral opinion poll results (.063) was a weak linear relationship. The significance level at (.696) showed that the two case scenarios did not have any supported relationship. But respondents' perception on politicians believe and reliance on the electoral opinion poll results had supported relationship (.016) with the extent of the respondents' thought on voters believe and reliance on the electoral opinion poll results. Additionally, in both cases of extent of both politicians and voters believing and relying on the electoral opinion poll results emerged as a strong linear relationship and very significant at

(.000). This demonstrated a high positive correlation implications of which were explored in chapter five of this study.

Lastly, it was critical to establish whether believe and reliance of electoral opinion poll results both for politicians and voters significantly predicted public awareness of the electoral opinion polls. This was demonstrated using a multiple regression analysis below.

**Table 4.23: Multiple regression analysis on believe and reliance of electoral opinion poll results and public awareness of the electoral opinion polls**

Coefficients						
Model		Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	.440	.444		.991	.328
	Do you think voters believe and rely on the Electoral Opinion Poll results?	1.112	.230	.683	4.828	.000
	If YES, to what extent?	.077	.313	.047	.245	.808
	Do you think politicians believe and rely on the Electoral Opinion Poll results?	-.056	.306	-.025	-.182	.857
	If YES, to what extent?	-.075	.203	-.063	-.370	.714
<b>a. Dependent Variable: To what extent do you think the public's are aware of the electoral</b>						

From the multiple regression above it can be seen that only voters' believe and reliance on the electoral opinion poll results (.000) significantly predicted the extent of public awareness of the electoral opinion polls. In the case of politicians' believe and reliance on electoral opinion poll results (.857) significantly predict public's awareness of the electoral opinion polls.

The other multiple regressions sought to establish the predictive significance of awareness of the legislation on publication of electoral opinion polls and zeal to take part in the opinion polls. Other independent variables incorporated in this multiple regressions analysis included the perceived differences in the way electoral opinion polls were conducted before and after the legislation and perception on whether legislation influenced voters' access to credible, reliable and representative polls.



**Table 4.24: Multiple regression analysis on the influence of legislation aspect on participation in electoral opinion polls**

<b>Coefficients</b>						
<b>Model</b>		<b>Unstandardized Coefficients</b>		<b>Standardized Coefficients</b>	<b>t</b>	<b>Sig.</b>
		<b>B</b>	<b>Std. Error</b>	<b>Beta</b>		
1	(Constant)	1.609	.272		5.910	.000
	Has there been a difference in the way electoral opinion polls were conducted before?	-.123	.127	-.149	-.968	.340
	If yes, to what extent?	.007	.079	.014	.088	.930
	In your opinion do you think the legislation influences voter's access to credible, reliable and representative polls?	.121	.123	.159	.991	.329
	If YES, to what extent?	-.244	.095	-.445	-2.568	.015
<b>a. Dependent Variable: Do you take part in the opinion polls?</b>						

From the multiple regression output above only the extent of legislation influence on voters' access to credible, reliable and representative polls (.015) significantly predicted participation in the opinion polls.

#### **4.2.4 Key Informant Interview Findings**

This was a major section of this chapter where the researcher captured the responses from the four interviewees. Ultimately, this served as the qualitative research part of the study. Better still, the data developed in this section was qualitative and had been tied to the main objectives of the study. In the reporting, the researcher adhered to the confidential agreement with the interviewees. Therefore, non-disclosure was not compromised meaning the analysis cannot disclose the names of the interviewees. When reporting the researcher did not disclose from which pollster the interviewees came from.

#### 4.2.4.1 General Information of the Interviewees

The interviewees were general and research managers of various pollsters. The main pollsters that the interviewees worked for were namely: IPSOS – Synovate, Infotrack Haris and Strategic Africa. Consumer Insight did not participate in this study. Therefore, two of the interviewees came from Strategic Africa, one from IPSOS-Synovate and the other Infotrack Haris. The interviewees indicated to have worked for their respective pollsters for a number of years. For instance, both the General Manager and Research Manager at Strategic Africa indicated to have worked there for a period eight and seven years respectively. The Research Managers at Infotrack Haris and IPSOS - Synonate failed to disclose their period of service in the Company. All the interviewees indicated that their work environment was good and they have been at home with it. This is what one of them had to say:

“Indeed, having worked at IPSOS-Synovate for a long time I appreciate the appreciation around this place. I am sure this has not only benefited me but even other staff members.”

The other interview captured the opinion of the respondents on what they thought were the functions of opinion polls. In general, they all expressed that they act as intermediate channels where the public get to know and anticipate the future. These were some of their views:

Interviewee 1: “Well, am reminded of the time when Kenya never used to have pollsters. Therefore, the citizens did not have a way to predict current pressing issues politics, economic and social matters. However, this has changed since in our company we have succeeded to capitalize on current issues or affairs and relate them to the future of Kenyans. This way they have been able to make informed decisions like in choosing candidates during elections.”

Another interviewee stated:

“Opinion polls simply put Kenyans in an interactive forum where they get to express their most heartfelt views on issues pressing them. Then, through adequate sampling and forecasting the opinion polls present a scenario that may help to inform policy in the country”.

The issues above also featured in the responses of the other interviewees. All the same when asked about the factors they consider when conducting polls they unanimously settled for the

following issues. Truth, validity and reliability of data and the relevance the issue at hand would add value to the society. So they stated that the motivation for conducting opinion polls is the degree to which would add value to Kenya as a country. However, they also noted of the challenges faced when conducting opinion polls. Again here, there was similarity in the responses but just to state a few here below:

“The challenge is when you try to look for willing participants. This requires a lot of patience and professionalism because at the end of the day such responses are what yields to analysis and interpretations.”

All the interviewees said they were aware of the legislation on the publication of electoral opinion polls and that they supported it although there might have been some problems with it. In terms of how the legislation affects how they conduct the electoral opinion polls; they all seemed to agree that the impact has not been too negative since the controls and measures are meant to make the process transparent, accountable and credible. In fact, when asked about the strengths of the legislation some of the interviewees’ said:

“Well, the legislation should make this business more credible and worth to the Kenyan people. Normally, regulation validates this business and makes it something serious and professional.”

Another interviewee noted:

“For me I believe whenever there is a regulation to a process the members involved in the realization of its objectives become protected in law. That means there is more security in conducting polls”.

However, most of the interviewees did not comment much about the weaknesses of the legislation but they all indicated to worry more about the possibility for the legislation to censor polling and in a way make it not pass critical information. For instance, one of the interviewees said that the pollsters should have equal rights with media companies and their freedom should never be interfered with.

The interviewees indicated the measures they have put in place to ensure compliance to the legislation. Some had this to say:

“In my company we use the legislation to develop policy and at the same time ensure it guides our polling”.

For another interviewee the following was said:

“We have contemplated inviting legal experts to help to a legal analysis and ensure our goals and policies are in tandem with the legislation”.

Most of the interviewees indicated that electoral opinion polling in Kenya is influenced by a number of factors such as tribes, preference for a candidate, political parties, personal beliefs, and euphoria. In the same vein most of the interviewees also indicated that same factors influencing electoral opinion polling in Kenya equally impacted on factors influencing the people’s voting patterns in Kenya.

Turning to the extent to which the legislation influenced voter’s access to credible, reliable and representative polls one of the interviewees expressed as follows:

“For me the current legislation risks preventing voter’s to access, credible, reliable and representative polls. This is because there is tendency to deny pollsters freedom to present facts as they are on the ground”

In terms of implications of electoral opinion polls regulation to voters, pollsters and media the same issue of suppression and tendency to prevent 100% presentation of facts as they are on the ground came out for most of the interviewees. They somewhat perceived the problem to be what may be termed as a suppression of freedom of expression.

There was general agreement from the interviewees that the polls reported in a way that enabled the audience to judge the quality of the poll and the interpretation derived from it.

In relation to the role of communication in creating awareness about electoral opinion polls some of the interviewees had this to say:

“Communication is at the heart of any polls because that is the only way to create an interactive process with the targeted audience.”

In general, most of the interviewees indicated that communication played very significant role especially in helping to inform the public on the intended message of the polls.

In the case of what might be the level of public awareness on the importance of the electoral opinion polls all respondents said such was significant; in other words that the public were fully aware that opinion polls played significant role in their decision making about the future. In regard to communication strategies in place to create awareness on electoral opinion polls to the public the respondents mentioned television, radios, newspapers and social media. For instance, one of the interviewees had this to say:

“We ensure that our communication strategies tie to what our targeted audience use daily for communication. Moreover, we target the main channels of communication to reach to the audience.”

The above interview results were what the researcher managed to obtain from the interviewees. It was not possible to capture everything due to their busy work schedules. However, the findings so far helped to acquire insights in light of the objectives of this research project.

## CHAPTER FIVE

### CONCLUSIONS, IMPLICATIONS AND RECOMMENDATIONS

#### 5.0 Introduction

This chapter gives a summary of the findings, discussions, interpretation of each result in the form of conclusions inferred from the findings and recommendations in relation to the objectives of research questions and also the problem statement of the research. The researcher further has proposed the main areas that may be developed in future.

#### 5.1 Summary

The study investigated the effects of legislation on electoral opinion polls on pollsters in Nairobi County. It was successful in addressing its objectives especially from the primary data collection. It was the case that there were gaps in the secondary research (literature review findings). The gaps included the following:

1. There are no studies indicating what influences electoral opinion polls in Kenya. What is there are claims or rather assumptions (Electoral Opinion Polls in Kenya are biased and lack scientific threshold – {The Act, 2012}) which led to the legislation on publication of electoral opinion polls.
2. On what influences people's voting patterns; the available studies do not show that electoral opinion polls influence the voter's patterns.
3. On voter's access to credible, reliable and representative polls; it is not clear whether before or after legislation that voters have had sufficient information which can help them make informed decision on their vote preferences.

4. On role of communication in creating awareness on electoral opinion polls; there is no literature in Kenya which stipulates on how pollsters sensitize the publics on electoral polls and training of journalist in reporting of electoral poll results.

As indicated, some of the gaps outlined above were addressed using primary collection of data; all the same there would still be a need for future research on the same. The researcher believes that the more this topic of study will be explored in the future in all its dimensions, the more such gaps will be catered for by scholars. This study, therefore, is a stepping stone to such future investigations.

Noteworthy are the objectives of the study:

1. To investigate the factors that influence electoral opinion polling in Kenya.
2. To find out the factors that influence people's voting patterns in Kenya.
3. To determine the extent to which legislation influences voter's access to credible, reliable and representative polls.
4. To investigate the role of communication in creating awareness about electoral opinion polls.

Therefore, by addressing each and every objective the researcher managed to capture the most salient issues. It is on this backdrop that there is confidence that this project provides solutions to the emerging gaps and it is a library resource for further works on the same in future. That said, the next section revisited the findings in chapter four stating the major issues and their implications on the objectives of the study.

## **5.2 Re-Evaluation of the Main Findings**

In this research the main findings were those that supported the objectives of the study. This and more will be discussed in this section in a focused and summarized manner.

### **5.2.1 Analysis of Objective 1**

Now, from the literature review it was seen there are numerous factors and conditions, constraints and reservations that influence the outcome of opinion polls, such as:

- i.** The types of questions asked, and the order in which they are asked;
- ii.** The sample size; the methodology employed;
- iii.** The timing of polls in relation to elections or events;
- iv.** The different approaches in dealing with ‘don’t know’ and ‘non’ responses; and
- v.** The contemporary situation or context surrounding the poll

The same issue was investigated in the primary research where from the factor analysis it was seen that political parties were a significant factor that influenced electoral opinion polling in Kenya. Other factors included presidential candidates, number of candidates and so on and so forth. Already, the reader can see that the main variables operationized by past scholars in determining what influences electoral opinion polling in Kenya and the ones used in this study do not have similar connotation. However, qualitatively one can still relate some of them. To start with the primary data conducted by the researcher did not show whether types of questions asked and their order, sample size, methodology employed or different approaches was a factor influencing electoral opinion polls in Kenya. However, on the bit of timing of polls in relation to elections or events and contemporary situation or context surrounding the poll has been supported by the primary data findings of the study. This is if and only if for the past scholars timing of polls in relation to election or events meant the euphoria of the day. By euphoria one may purport that what goes on in the minds of the public are the presidential candidates, political parties, the boogeyman of elections (may be people supporting Majimbo others Devolution others Centralization name them). All these are sentimental political inclinations which define the contemporary situation or context surrounding the polls. This is also the time where the public are supporting candidate X others Y others Z. So, assuming this is what past



scholars meant when they ascertained that contemporary situation or context surrounding the poll is a factor influencing electoral opinion polling in Kenya then it harmonizes to the findings of the study. However, in the current study the researcher not only highlighted the main factors but also their density and impact degree in influencing electoral opinion polls in Kenya.

### **5.2.2 Analysis of Objective 2**

Another major finding of the literature review is when it presented past scholars' take on the factors that influence people's voting patterns in Kenya. They noted that "identity factor" and "clientelism" influence people's voting patterns in Kenya. These findings can be summarized as follows:

1. Identity Factor – which includes the following:
  - i.** Ethnicity (as the dominating factor)
  - ii.** Religion
  - iii.** Region
  - iv.** Family lineages
  - v.** Political party affiliations
  - vi.** Gender
2. Clientelism – refers to a society built on political clientelistic networks – for instance a voter would prefer party of their own patrons in exchange for social or economic gains. For example, the Njiru Njeke of Ameru community.

Both directly and indirectly the issues confirmed by past scholars as influencing voting patterns in Kenya emerged in the primary data analysis. However, like shown in table 4.7 "the party's / individuals manifesto" was the major factor influencing people's voting patterns in Kenya. This is in contrast to what had been said by past scholars where ethnicity served as a major factor. In the factor analysis ethnicity actually ranked at the fifth position. So, the question

would be what might have led to the differences in research or why was it that the current study did not emerge as a factor? The researcher is persuaded to justify the findings and reasoning of past scholars based on the situation at that time. Indeed, in this country there was a time where ethnicity determined who becomes what. This is still very rampant among Kenyan citizens though it is no longer an absolute factor. In fact, still looking at table 4.7 it was seen that literacy levels of political candidates was a top three major factor in determining voting patterns in Kenya. Evidently, it means Kenyans now evaluate the candidates on other basis. So, given that ethnicity was not confirmed as a major factor does not show any misrepresentation of the reality on the ground. It is also comforting to note that Kenya is changing to being a more objective and philosophically minded society.

### **5.2.3 Analysis of Objective 3**

All the same there were gaps in the literature review findings in showing the extent to which legislation influences voter's access to credible, reliable and representative polls. Actually, there are no studies in the past talking about this issue. However, in the primary findings it was seen that majority of the respondents (i.e. 72.5%) indicated that to a great extent legislation influenced voters' access to credible, reliable, and representative polls. Well, the question would be how come there is such a gap? Why is it that past scholars did not show the extent of the legislation's influence on voters' access to credible, reliable, and representative polls? One of the main reasons is that given that the legislation was enacted in June 2012 then past scholars did not have any basis to think about it or talk about it. This is because it was not in existence. All the same the researcher went ahead to establish whether legislation's influence on voters' access to credible, reliable, and representative polls significantly predicted participation in the polls. Indeed, based on the extent of the matter it was seen that it did. Even logically speaking it would be expected that legislation in and of itself has a lot of implications to participation of

Kenyan's in the polls. This could be in a positive manner or negative because if the legislation fosters common good and protects the rights of every voter then their participation would be more active and meaningful.

#### **5.2.4 Analysis on Objective 4**

Literature review findings did not illustrate fully the role of communication in creating awareness about electoral opinion polls in Kenya. However, in the primary data this was achieved in a number of ways. First of all majority of respondents confirmed the role of communication in electoral opinion polls. The researcher even went ahead and established a positive correlation in table 4.15 in chapter four that based on the major factor influencing electoral opinion polls (political parties) there existed a supported relationship. This in a way shows the significant role of communication when it comes to electoral opinion polls in Kenya. Inasmuch as the multiple regressions in table 4.16 did not show that all aspects of communication had predictive significance in electoral opinion polls at least one (Communication plays any role in electoral opinion polls) did. It would have been absurd to not scientifically prove the role of communication in creating awareness about electoral opinion polls in Kenya because it being the key medium then assuming not to have any influence would be untenable. On this qualitative basis actually evidenced in the interviews results makes the study's findings practical and realistic.

Lastly, was the correlation done in table 4.22 The relevance of seeing the correlational relationship between voters believe and reliance on the electoral opinion poll results and that of politicians was because the two serve as the main subjects of electoral opinion poll results. Therefore, noting on their perception and how they correlated was a very important aspect of this study. For instance, given that the extent of voters and politicians believe and reliance on the electoral opinion poll results had supported relationship; it means (politicians and voters)

as subjects of electoral opinion polls had the same expectations. This again may be confirmed by the fact that both voters and politicians were equally subjects of the electoral opinion poll results.

### **5.3 Recommendations**

On the basis of the main findings, the following recommendations hold:

- i. A proper evaluation of the current legislation on electoral opinion polls to ensure it is objective, representative and premised on the common good of the electorate.
- ii. Government to ensure voter's access to credible, reliable and representative polls at all times as an election policy. This should be a function of the IEBC.
- iii. IEBC, pollsters and media fraternity to ensure there are adequate communication channels in creating awareness on electoral opinion polls.

Areas of future research may be as follows:

1. Determination of the extent to which legislation influences voter's access to credible, reliable and representative polls
2. An investigation of the role of communication in creating awareness about electoral opinion polls

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## **APPENDIX 1: INTRODUCTORY LETTER**

Dear respondents,

My name is **Paul Kimweli Wambua**, a Master of Arts Student in Communication Studies at the University of Nairobi. I am currently carrying out a research on **“THE EFFECTS OF LEGISLATION ON ELECTORAL OPINION POLLS. A CASE STUDY OF POLLSTERS IN NAIROBI COUNTY.”** This study seeks to establish the factors which influence electoral opinion polls in Kenya, people’s voting patterns in Kenya, how legislation influences voter’s access to credible, reliable and representative poll and the role of communication in creating awareness on electoral opinion polls.

The information will be treated with utmost confidentiality and will be anonymous. Participation in this study is voluntary. Data obtained will be analyzed to provide a basis for academic reports and conclusions towards my research project as required by the University of Nairobi. Further, findings could aid in appropriate electoral opinion polls communication strategies.

Thank you.

## **APPENDIX 2: INTERVIEW SCHEDULE**

### **POLLSTER'S GENERAL MANAGER AND RESEARCH MANAGER**

1. What is the name of your pollster?
2. How long has it been operating in Kenya?
3. How long have you worked in this pollster?
4. What does your work entail or involve?
5. How is the work environment?
6. What are the functions of opinion polls?
7. What is the importance of opinion polls?
8. What factors do you consider when conducting polls?
9. What challenges do you face when conducting polls?
10. Are you aware of the legislation on the publication of electoral opinion polls?
  - a. Do you support the legislation?
  - b. How does it affect the way you conduct electoral opinion polls?
  - c. What are the strengths of the legislation?
  - d. What are the weaknesses of the legislation?
  - e. What measures have you put in place to ensure compliance to the legislation?
11. What factors influence electoral opinion polling in Kenya?
12. What factors influence the people's voting patterns in Kenya?
13. To what extent does the legislation influence voter's access to credible, reliable and representative polls?
  - a. What are the implications of electoral opinion polls regulation to voters, pollsters and media?

- b. Are the polls reported in a way that enables the audience to judge the quality of the poll and the interpretation derived from it?
  - c. What measures do you take as a polling agency to ensure that the polls published are credible, reliable and representative?
  - d. Has the legislation since enactment had an impact on the credibility and reliability of result?
    - i. What impacts?
14. What is the role of communication in creating awareness about electoral opinion polls?
- a. What is the level of public awareness on the importance of the electoral opinion polls?
  - b. What communication strategies do you have in place to create awareness of Electoral Opinion Polls to the public?
  - c. What training do the journalists receive for effective dissemination of electoral opinion poll results?
  - d. What is your most preferred tool of communication or medium?
    - i. Why that tool of communication or medium?
  - e. What challenges are encountered when presenting the electoral poll results to the public?

**Thank you for your time, contribution and participation in this study.**

### APPENDIX 3: QUESTIONNAIRE FOR INTERNAL EMPLOYEES

#### Part A: Personal Information

*Instruction:*

*Please tick (✓) in front of the most appropriate response where necessary*

1. Name: (Optional).....
2. Agency Name: .....
3. Gender: Male  Female
4. Age Group (years):  
Below 25  26-35  36-45  46-55  Above 55
5. Marital Status: Single  Married
6. Highest level of education  
College Certificate   
Diploma   
Higher Diploma   
Graduate   
Master's Degree   
Doctorate Degree
7. What position do you currently hold? .....

#### Part B: Effects of Electoral Opinion Polls

*Instruction:*

*Please tick (✓) in front of the most appropriate response where necessary*

1. How long have you worked for the Polling Agency?  
Less than a year  1 – 3 years  3 – 5 years  Above 5 years
2. Do you take part in the opinion polls? Yes  No

3. Are you aware of the legislation on publication of electoral opinion polls?  
 Yes  No
4. When was it enacted? October 2011  May 2012   
 June 2012  December 2012
5. Do you support the legislation? Yes  No
6. Has there been a difference in the way electoral opinion polls were conducted before and after the legislation? Yes  No
7. If **YES in 6 above**, to what extend? Very Great Extent   
 Great Extent  Small Extent  Very Small Extent
8. In your opinion do you think the legislation influences voter's access to credible, reliable and representative polls? Yes  No
9. If **YES in 8 above**, to what extent? Very Great Extent   
 Great Extent  Small Extent  Very Small Extent
10. To what extent do the factors mentioned below influence people's voting patterns in Kenya?

Activity	Don't know	Not sure	A Small Extent	A Great Extent	To a very Great Extent
Media saturation on some particular candidates					
Ethnicity of Candidates					
Opinion Leaders Comments on some Candidates					
Socio economic Status of Candidates					

Major Events attended by Candidates					
Campaign by Political Candidates					
Literacy level of Political Candidates					
Political consciousness of the electorate					
The party's/individual's manifesto					
Electoral opinion poll results					

11. To what extent do the factors mentioned below influence electoral opinion polling in Kenya?

<b>Activity</b>	<b>Don't know</b>	<b>Not sure</b>	<b>A Small Extent</b>	<b>A Great Extent</b>	<b>To a very Great Extent</b>
Media personnel competence on reporting opinion poll results					
Presidential Candidates					
Political Parties to which candidates are affiliated					
Business People and funding agencies					

Methodology used in sampling and interviewing					
Government					
Financial Ability of the Pollster					
Accessibility to the Regions to be polled					
Legislation on Electoral Opinion Polls					
Time period for Conducting Surveys					
Literacy Levels of Respondents					
The number of political parties to be on the ballot box					
The number of candidates vying for a particular political post					

12. Comparing the response from respondents before and after the Legislation, which period had the highest respondents? Before  After

Briefly explain your answer.....  
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.....  
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13. Do you think voters believe and rely on the Electoral Opinion Poll results?

Yes  No

14. If **YES in 13 above**, to what extent? Very Great Extent   
 Great Extent  Small Extent  Very Small Extent
15. Do you think politicians believe and rely on the Electoral Opinion Poll results?  
 Yes  No
16. If **YES in 15 above**, to what extent? Very Great Extent   
 Great Extent  Small Extent  Very Small Extent
17. In your opinion do you think the legislation of electoral opinion polls affects your  
 work / performance level? Yes  No
18. If **YES in 17 above**, to what extent? Very Great Extent   
 Great Extent  Small Extent  Very Small Extent
19. In your opinion, to what extent do you think the publics are aware of the electoral  
 opinion polls? Very Great Extent   
 Great Extent  Small Extent  Very Small Extent
20. Which of the following communication channels do you use in disseminating and  
 creating awareness of electoral opinion polls? (Multiple answers are possible)
- Television  Radio  Newspapers   
 Magazines  Information Booklets  Newsletters   
 Pamphlets  Posters  Flyers   
 Facebook  Twitter  Blogs   
 Websites
21. From **20 above**, in your opinion which is the most effective communication channel?
- Television  Radio  Newspapers   
 Magazines  Information Booklets  Newsletters   
 Pamphlets  Posters  Flyers   
 Facebook  Twitter  Blogs



Websites

Briefly explain your answer.....

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22. In your opinion, do you think communication plays any role in electoral opinion

polls? Yes

No

If YES what roles.....

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**Thank you for your time, contribution and participation in this study.**