

Full Length Research Paper

The impediments of electoral management in the 2007 general election on interethnic relations in Uasin Gishu and Trans Nzoia counties

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Interethnic violence has significantly impacted the social and political dynamics among communities residing in the cosmopolitan counties of Trans Nzoia and Uasin Gishu, during the recurring electioneering period every five years. The study's main purpose was to examine the impediments of electoral management in the 2007 General Election on interethnic relations in Uasin Gishu and Trans Nzoia Counties. The theory of conflict guided the study. The sample size was 363 participants: election victims, former ECK officials, political aspirants, local observers, elections agents, county commissioners, chiefs, security enforcers, village elders, NGOs, and camp administrators. A purposive sampling technique selected the sample size that provided study information. A descriptive survey research design and mixed method approach was used. The data was collected using interviews, questionnaires, and Focus Group Discussions. Quantitative data from closed-ended questions were tabulated using descriptive statistics. Thematic analysis was used to process data collected through interviews, focus group discussions, and open-ended questions for interpretation. The findings of the study showed the impediments included suspicion among residents, tribalism (13.1%), failure of EMB officials to manage results (13.0%), inadequate polling stations (4.3%), lack of trust in police enforcers (4.3%), late opening of polling stations (4.3%), poor coordination (4.3%), harassment, lack of trust by polling officials (8.8%) and late announcement of results (13.0%). The study recommended that to prevent and manage the causes and consequences of violence, a policy for electoral violence management, especially monitoring and voter-centered strategies, needs to be carried out on a long-term basis and continuity between general elections.

Key words: Impediments, electoral management, interethnic relations.

INTRODUCTION

For a long time, general elections have been a cornerstone of every democracy globally. Elections must

be held regularly in accordance with international and regional agreements. Democracy, as defined by the

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United Nations General Assembly and the Democracy World Summit in September 2005, is a universal value rooted in the peoples freely expressed will to determine their own socio-economic, political, and cultural systems, and to fully participate in all aspects of their lives. Fair and free elections are a critical manifestation of this principle, ensuring that only legitimate elections held regularly can truly represent the aspirations of the people (Carter Centre, 2016).

General elections typically occur every five years in most developed and developing countries. However, many elections in developing democracies do not meet internationally accepted standards for free and fair elections.

According to the International Foundation for Electoral Systems (IFES, 2011), legal frameworks in developing democracies are often ambiguous and prone to disputes. Challenges such as fraud or allegations thereof, poorly administered elections, or a climate of insecurity and impunity exacerbate these issues. Therefore, electoral processes must uphold high integrity, openness, transparency, accountability, and competitiveness to enable widespread participation.

"The credibility of election outcomes hinges on the strength of the electoral legal framework, the integrity of the electoral management body, the effectiveness of dispute resolution processes, and the extent of public confidence in the legitimacy of electoral and governmental institutions" (IFES, 2015:2). Maureen (2013) notes that in Haiti, both Presidents Aristide and Préval served two non-consecutive terms marred by alleged irregularities, low turnout, and opposition boycotts, reflecting challenges to democracy.

Failure to adhere to these principles increases the likelihood of electoral violence, which can severely strain community relations.

In Hungary, "major malpractice" marred the 2018 elections, securing a substantial parliamentary majority and a third term in office for Prime Minister Viktor Orban. A rights organization documented significant allegations of fraud and vote-rigging during the April 2018 poll. These allegations included transporting voters from neighboring countries like Ukraine, bribery and intimidation, particularly in rural areas, manipulation of postal and absentee ballots, and issues with election software, all categorized as "major malpractice" (<https://www.france24.com>). These practices were instrumental in securing the incumbent's continued power.

Similarities can be drawn between the Hungarian case and electoral practices in many African states, including Kenya, albeit in a different regional context. Understanding how these practices impact interethnic relations is crucial for addressing issues of electoral integrity and governance (Budapest, 2019).

In most African countries, elections are intended to promote democracy but often undermine it instead.

Political leaders frequently use elections to advance their own interests at the expense of the electorate, fostering animosity between communities and contributing to heightened tensions and electoral violence. For instance, in Nigeria, electoral violence has significantly undermined democratic progress despite nearly two decades of civil rule following military disengagement from politics in 1999 (Lawrence, 2015). Similarly, in Zimbabwe and Uganda, electoral management processes have failed to foster democratization, with widespread evidence of electoral abuses such as gerrymandering, ballot stuffing, fraud, and voter intimidation (Wilkins, 2021).

Violence in Kenya has historically been prevalent due to various socio-political and economic factors, making such outcomes almost inevitable (Adeagbo and Iyi, 2011). Since independence, tensions between the two major ethnic groups, the Kalenjins and the Kikuyus, have often centered on competition for and control of scarce fertile land. The General Elections of 1992 and 1997 highlighted these tensions, which later culminated in the post-election violence of 2007, significantly impacting interethnic relations in the country.

Ethnic polarization has been identified as a key factor contributing to electoral violence in Kenya. The violence observed during the transition to multiparty politics in 1991 to 1992 can be attributed to the misuse of state power by a few political leaders who exploited ethnic identities for their own gain (Nasong'o, 2000). However, Nasong'o (2000) did not extensively address how electoral management issues specifically influenced elections and contributed to post-election violence. He contends that during Moi's regime, ethnic sentiments were heightened, particularly among the Kalenjin and other perceived minority groups, who were made to fear losing their privileged positions. This was fueled by political leaders claiming that political pluralism threatened their interests rather than promoting healthy political competition aimed at accountability and transparency in governance.

Statement of the problem

Interethnic violence has significantly impacted the social and political dynamics among communities residing in the cosmopolitan counties of Trans Nzoia and Uasin Gishu, particularly during the electioneering period every five years, as mandated by the Kenyan constitution. While triggers such as land ownership disputes, ethnic animosity, hatred, imbalances in elective position distribution, and unhealthy competition are commonly identified, the role of electoral management practices in Kenya has not received sufficient recognition as a primary contributor to these issues. Efforts to reform Kenya's electoral management have been ongoing since the inception of regular elections. These reforms culminated in the 2010 Constitution of Kenya, which

provided a robust legal framework for electoral processes. This framework facilitated the establishment of the Independent Electoral and Boundaries Commission (IEBC) and the enactment of the Election Act 2011, Election Regulations in 2012 and 2017, as well as the Political Parties Act 2011 and 2017. These measures were intended to enhance electoral management, ensuring fairness, freedom, and transparency in elections. Subsequent electoral processes from 2013 to 2022 have seen both advancements and challenges in political, technological, and legal aspects, influencing the overall development of Kenya's democratic process. In this context, the study aimed to examine the impediments associated with electoral management during the 2007 General Election and their impact on interethnic relations in Uasin Gishu and Trans Nzoia Counties.

Research objective

The objective of the study was to examine the impediments of electoral management in the 2007 General Election on interethnic relations in Uasin Gishu and Trans Nzoia Counties.

Research question

What were the impediments of electoral management on interethnic relations in Uasin Gishu and Trans Nzoia Counties?

LITERATURE REVIEW

Theoretical review

Conflict theory

The conflict theory by Galtung (1991) was employed in this study to address structural violence, which serves as a trigger for electoral violence in many developing countries. Structuralist approaches to the study of violence emphasize the influence of objective conditions in generating conflicts, whether through direct or indirect means. Indirect violence can manifest as emotional conflicts and tension build-ups, often referred to as "social injustice" (Kalpata, 2020). This concept of structural violence/conflict reconceptualizes the dichotomy between peace and war. Curle (1971), an advocate of structural violence, criticized the binary classification of peace and war, proposing a third condition where societies neither fit into peace nor war but still experience social injustice due to impediments to societal development.

In societies characterized by "unpeace," physical violence may be minimal, yet true peace is absent because societal relations hinder the potential

development of significant segments of the population. This hindrance can stem from economic, social, or psychological factors that create underlying tensions, potentially erupting into immediate causes of conflict. The notion of structural conflict has enriched conflict studies by introducing complexities and insights into conflict management (Galtung, 1991).

Galtung (1991) defines structural violence as conditions where individuals cannot achieve their full potential, with their physical and mental capabilities falling short of what they could attain. According to Kalpata (2020), structural violence is ingrained within social structures, encompassing legal frameworks, economic systems like markets, social interactions, religious institutions, and sometimes military establishments within societies.

These systems interact with each other to create complex power dynamics where power is measured in terms of access to resources, decision-making abilities, and opportunities. Society's structures may marginalize certain groups or discriminate against them, thereby infringing upon their rights and preventing citizens from realizing their full potential within society. Such forms of violence are often unintended but are products of existing societal structures, potentially affecting interethnic relations.

Galtung (1991) argues that weaknesses are evident in failing to explain the processes and conditions involved in the transformation of structural violence into direct forms of violence. He also critiques the outdated and poorly theorized aspects of his work, while maintaining a pursuit of moral ends: the liberation of humanity from false claims of universality. This critique addresses situations where one group seizes power and justifies it under the guise of representing freedom for all, when in reality, it primarily benefits them. This use of Universalist rhetoric to mask specific forms of domination is a common strategy in controlling discourse and political debates.

By unmasking these elements, conflict theory seeks to improve the underlying structures within any given society. Therefore, interethnic violence in the cosmopolitan counties of Trans Nzoia and Uasin Gishu can be understood through the lens of structural violence as proposed by Galtung (1991). These multi-ethnic counties have seen their ethnic composition shaped by the availability of land for sale, attracting buyers from various ethnic backgrounds without discrimination. Over time, these buyers have established successful enterprises and shown signs of prosperity, which has sometimes bred resentment and envy among others. This situation has provided fertile ground for grievances that can be exploited during periods of electoral competition.

For sellers and other actors, the politics surrounding general elections provide an opportunity to implement long-standing plans and strategies. This has materialized notably in the elections of 1992, 1997, and 2007, particularly with the advent of competitive multi-party politics. Structural violence thus reveals underlying social

and psychological contradictions experienced by residents across ethnic communities in these counties. In this context, structural violence transcends superficial issues often portrayed, highlighting deeper societal fissures.

Impediments of electoral management on interethnic relations in 2007 general elections in Uasin Gishu and Trans Nzoia counties

The impediments in electoral management practices observed in Uasin Gishu and Trans Nzoia counties are intricately connected to broader national issues. Adopting a system and subsystem approach reveals the interrelated nature of electoral challenges from international to grassroots levels, as highlighted in the literature review. Singer (1961) emphasizes the flexibility in sorting and analyzing phenomena, allowing observers to focus on either parts or the whole system. In the context of electoral management, this means examining challenges at various levels, from the national electoral system to the specific challenges faced in counties like Uasin Gishu and Trans Nzoia.

Building on Singer's perspective, Boulding (1956) underscores the ubiquitous presence of systems, subsystems, and their environments in the realm of general systems theory. This study aligns with Boulding's (1956) assertion, treating electoral management practices in Uasin Gishu and Trans Nzoia as integral components of the larger electoral system governed by the Electoral Commission of Kenya (ECK). By adopting a holistic view and recognizing the interconnectedness of electoral processes at different levels, this study aims to provide insights into the challenges faced by these counties within the broader electoral framework governed by the ECK.

Electoral challenges on the process's acts

Kenya's electoral process has undergone evolution since its first General Elections in 1963, marked by the establishment of the Electoral Commission with the Speaker of the Senate as Chairman in line with the Kenya Independence Order-in-Council (IED, 1997). The multiparty system reinstated in 1992 led to the formation of the Electoral Commission of Kenya (ECK) (IED, 1997). Kotter's perspective on management processes acknowledges the effectiveness of traditional hierarchies but underscores their limitations in identifying hazards and opportunities early enough, a challenge particularly relevant in the dynamic context of political environments and elections (Kotter, 1996).

After the contested 2007 Presidential elections and subsequent post-election violence, the National Accord Implementation Committee (NAIC) established the Independent Review Commission (IREC), known as the

Kriegler Commission. IREC recommended the disbandment of ECK and the formation of the Interim Independent Electoral Commission (IIEC), later succeeded by the Independent Electoral and Boundaries Commission (IEBC) under the new constitution (Nkari, 2014). Owuor (2013) emphasizes the historical context of electoral challenges in Kenya, linking the call for comprehensive Constitutional Reforms to the need for free, fair, and credible elections. Election Management and Administration, identified as core challenges in the disputed 2007 elections, were the primary triggers for the post-election violence in 2008. Considering the big picture, Owuor (2013) stresses the necessity of sound constitutional, legal, and administrative reforms to anchor democratic gains.

Achieving secure and fair elections requires addressing core challenges in electoral management practices. The interplay between democracy, electoral management, and institutional impacts is highlighted, with local effects connected to central electoral management in Kenya (Sean and Scott, 2012). Khan et al. (2014) argues that institutional failures in democracies, such as corruption and lack of transparency, can be traced back to poor legislative leadership. Isma'ila and Othman (2016) emphasize the importance of credible elections accepted by citizens and the international community for democracy consolidation. They categorize electoral wrongdoing using both inclusive (violating norms and standards) and restrictive (violating existing laws) approaches, emphasizing the role of election management bodies in fraud and malpractice control based on domestic laws.

Registration of voters and the maintenance of voter register

Voter registration, a crucial aspect of electoral management, is mandated by the Kenyan constitutions of 1963 and 2010, with eligibility set at 18 years and above. The Kriegler Commission Report, a response to the 2007 post-election violence, recommended a fresh voter registration process based on accuracy, verifiability, and constitutional principles (Owuor, 2013). Article 38 of the 2010 constitution ensures political rights and emphasizes the fundamental right to participate in elections and voter registration. Additionally, Article 83 outlines criteria for voter qualification, essential factors to consider in Uasin Gishu and Trans Nzoia counties.

Electoral malpractice, categorized into pre-election, election period, and post-election periods, involves the manipulation of rules, voters, and voting processes (Norris, 2012). Distortion of electoral laws to favor specific parties or candidates, illicit campaign tactics, and alteration of voting preferences through tactics like vote-buying or intimidation constitute forms of malpractice (Birch and Allen, 2010). Olawole et al. (2013) stress that

the right to vote is a public function conferred upon citizens for social expediency, with Africa's electoral malpractices linked to historical systems, class structures, and social differences.

Democratic consolidation, crucial for strengthening political institutions, faces challenges in Africa, including disrespect for electoral acts, violence, corruption, and lack of internal democracy (Manesh, 2013; Egbelubem, 2011). Weak democratic institutions contribute to violations of electoral processes, ethno religious politics, and issues like incumbency, godfatherism, and excessive monetization in politics. These challenges pose threats to the consolidation of democracy in the fourth republic.

Generated conflict issues in electoral management

The electoral process, as defined by Elekwa (2008) and Akamere (2001), encompasses activities from voter education to the dissolution of the National Assembly. It includes pre and post-election elements such as party registration, voter register review, constituency delineation, and dispute resolution. However, the electoral process in many contexts, like Nigeria and Kenya's Uasin Gishu and Trans Nzoia counties, faces challenges from conflicts fueled by ethnic, sectional, and religious divisions, malpractices, and violence, posing threats to democratic principles. Security challenges in Nigeria, akin to those in Uasin Gishu and Trans Nzoia counties, have impeded the pursuit of credible elections, with a history marked by political assassination, thuggery, ballot snatching, intimidation, and arson (Okechukwu, 2014).

Despite efforts to address electoral management challenges, including reports like the Krieglger and Waki reports, some jurisdictions fall into political patterns that hinder reforms. The division of responsibilities between the Election Commission (EC) and the judiciary influences the nature and level of pressure on the Election Management Body (EMB). While an EMB with comprehensive authority may face high political pressure, sharing responsibilities with the judiciary can provide relief for the EMB but exposes it to external influences. In Ghana, for instance, the EC's efficiency contrasts with the judiciaries perceived inefficiency. However, in Uasin Gishu and Trans-Nzoia counties, the EMB is not exempt from institutional and political pressures. Concerns about the independence of Election Management Bodies (EMBs) persist, with a conflict of interest arising from elective office-bearers' reluctance to introduce reforms that could limit partisan control. Legislative acts, like Nigeria's Electoral Act of 2010, have been used to diminish the oversight role of the Independent National Electoral Commission (INEC) in party political nomination processes, potentially violating constitutional provisions (Fall et al., 2012). Security of tenure issues have emerged, as seen in Nigeria in 1989 and 2011, where members of the EC were arbitrarily removed, undermining

constitutional guarantees. Similar interference occurred in Sierra Leone in 2007, revealing challenges to the independence and stability of EMBs (Fall et al., 2012).

These instances underscore persistent obstacles to strengthening the electoral process and ensuring the autonomy of EMBs in various contexts.

Costs of electoral administration and management

Election Management Bodies (EMBs) in several countries face significant challenges in managing the costs associated with elections, leading to chronic structural issues and budget deficits. In Benin, for instance, election costs have surged, raising concerns about the reliability of election management by the National Autonomous Electoral Commission (CENA) (Jinadu, 2014). The operational costs encompass core election-related activities like voter registration, education, constituency delimitation, ballot paper printing, and election security. Additionally, fixed costs, such as funding political parties, salaries of EMB members, and administrative expenses, contribute to the financial burden on EMBs (Jinadu, 2014). Notably, the variations in election-related costs per voter across African countries highlight the commitment of regimes to free and fair elections, emphasizing the EMB's relationship with the country's executive, parliament, and ruling party (Jinadu, 2014). Comparisons of election costs per voter in Africa face challenges due to limited and outdated data. The available information suggests that variations in costs correlate with the democratic environment of countries—stable, transitional, authoritarian, or post-conflict. Countries with a longer multi-party democratic history tend to have lower costs per voter, irrespective of regional or economic differences. Examples include Botswana at \$2.7, Ghana at \$0.7 and South Africa at \$7.3 per voter. Prudent financial management remains a crucial issue for most EMBs, requiring rationalized expenditure strategies to minimize election costs, especially in resource-constrained environments (Jinadu, 2014). The heavy reliance of EMBs, such as the Electoral Commission of Kenya (ECK), on the state for logistical support, funding, and staff transportation raises concerns about their independence, as doubts persist about the allegiance of officials to the government over the EMB (Institute of Electoral Democracy, 1997).

Deployment of armed forces and security services

The challenge of ensuring security during elections is exacerbated by a zero-sum approach to party and electoral politics, particularly in highly competitive presidential successions in countries like Côte d'Ivoire, Ghana, Kenya, Senegal, Sierra Leone, Togo, and Zimbabwe. This war-like electoral environment necessitates collaboration between Election Management Bodies (EMBs) and security agencies, armed forces, and

paramilitary bodies to protect the electoral process's integrity. However, inter-agency arrangements may pose autonomy issues for EMBs, impacting their constitutional authority to conduct elections and control military and security personnel assigned for electoral duty (Adekanye and Lyanda, 2011). Payment concerns and doubts about the non-partisan approach of armed forces and security personnel in securing and delivering election materials further complicate the electoral security landscape. The absence or inadequacy of legislation defining the duties of military and security personnel in the electoral process, coupled with an unclear institutional framework, contributes to challenges in maintaining neutrality and efficiency. For instance, Benin lacks formal rules on the relationship between its Electoral Commission (CENA) and security forces, while Ghana established an ad hoc National Election Security Task Force to address security concerns, involving various sections of the security forces (Hounkpe and Fall, 2011). The reliance on state police in Kenya raised concerns about neutrality, as evidenced by their inability to prevent or address election-related violence, eroding public confidence in maintaining law and order during elections.

Electoral boundaries and delimitation

Boundary delimitation in Kenya has been a constitutional necessity, with the last review conducted in 1996. Despite the constitutional requirement for a review in 2005, the Electoral Commission of Kenya faced limitations in the former constitution, leading to unaltered boundaries before the 2007 elections. The Independent Review Commission (Kreigler Commission) found constituencies to be unrepresentative, recommending a legal and institutional overhaul for delimitation. This led to the establishment of the Interim Independent Boundaries Review Commission (IIBRC) through the Constitution of Kenya (Amendment) Act, 2008, aiming for an independent and objective delimitation process insulated from political interference. However, challenges, including legal issues and the Maingi Case ruling, hindered the IIBRC's effectiveness (Maingi et al., 2010). The Independent Electoral and Boundaries Commission (IEBC), mandated to address boundary-related issues, operate under the legal framework provided by the former Constitution, as amended by the Constitution of Kenya (Amendment) Act, 2008, the Constitution of Kenya, 2010, and the Independent Electoral and Boundaries Commission Act, 2011. International standards emphasize the need for a legal framework that specifies the frequency, criteria, public participation, institutional framework, and dispute resolution in the boundary delimitation process. Despite constitutional changes, concerns about the independence of the electoral body persist, contributing to interethnic hatred and election violence in specific counties like Uasin Gishu and Trans Nzoia (Independent and Boundary Commission, 2012).

RESEARCH METHODOLOGY

This study adopted descriptive survey research design and mixed method approach design. A mixed method research design is an approach to inquiry that combines both qualitative and quantitative forms (Creswell and Creswell, 2017). The target population was 6,618 which included 4200 victims in Burnt Forest, Uasin Gishu County and 2000 victims from Kachibora, Trans Nzoia (WHO, 2008). It included election victims, former ECK officials, political aspirants (candidates), local observers, elections agents, county/district commissioners, chiefs, security enforcers, village elders, NGOs, and camp administrators. The study adopted the formula by Krejcie and Morgan (1970) to calculate the sample size of victims and key informants. The sampled size of interethnic relations was 363 in Burnt Forest and Kachibora respectively. The following population was sampled for the study: the victims, the former ECK officials, political aspirants (candidates), local observers, elections agents, county/district commissioners, chiefs, security enforcers, village elders, NGOs, and camp administrators. The researcher purposively sampled the people with targeted information. The three methods of data collection used in this study were interviews, questionnaires and Focus Group Discussions. The questionnaires which were administered were collected on different days depending on the days of distribution. Questionnaires were distributed systematically targeting the areas where election disputes were rampant. In Kesses constituency which was formally Eldoret South constituency, the study targeted Kondoo farm, Burnt Forest shopping center, Tarakwa, Oleinguse, Kamuyu and Chuiyat areas. In Trans Nzoia, the study targeted Kipkeikei, Seum, Noigam Twiga, Motosiet to be exact were areas of interest.

Data collection for this study also included interviews, where an interview guide was purposively administered to selected key informants based on their knowledge and experience relevant to the study's subject matter. These interviews were conducted face-to-face between the researcher and members of the target population. The face-to-face method facilitated in-depth discussions and rapport building with respondents, which enhanced the quality of the data collected. This approach allowed for clarification of responses and follow-up on information, aligning with methods described by Burns (1999).

The researcher opted for face-to-face interviews due to their distinct advantages in capturing detailed information. Key informants were approached through gatekeepers or referrals, facilitating contact and scheduling of interviews either through visits or phone calls. Upon securing acceptance, all interviews were conducted in-person. For those who were unavailable, new appointments were made, and in some cases, senior administrators were referred for interviews by key participants.

Focus Group Discussions (FGDs) were also conducted, following the recommendation of Leedy and Ormrod (2001) to limit groups to 6 to 10 participants. These FGDs explored participants' experiences with general elections, electoral violence patterns, structural challenges in electoral management, and measures implemented to address the 2007 post-election violence. FGDs were deemed appropriate for their ability to delve into these complex topics and contribute to understanding the impediments of electoral management practices on interethnic relations in the study areas.

DISCUSSION

The impediments that emanated from electoral management practices in Uasin Gishu and Trans Nzoia Counties in 2007

According to the victims who filled out the questionnaires, some impediments were more pronounced than others. The challenges that stood out

included suspicion among residents, tribalism (13.1%), failure of Electoral Management Body (EMB) officials to manage results (13.0%), inadequate polling stations (4.3%), lack of trust in police enforcers (4.3%), incidents such as the death of non-locals, loss of property, and displacements (8.7%), late opening of polling stations (4.3%), poor coordination (4.3%), harassment and lack of trust by polling officials (8.8%), and late announcement of results (13.0%).

Lack of finance

Lack of finance to run electoral management practices were cited by 8.8% of the victims. In an FGD conducted in Trans Nzoia County, the majority of ECK officials emphasized the insufficient funds to smoothly run their activities. Similarly, in Uasin Gishu County, an interviewee from an FGD noted that the finance allocated to the ECK was inadequate, as reported by those employed during the 2007 General Elections. Lack of sufficient funds to carry out EMB activities was a common concern among interviewees and questionnaire respondents in the study areas.

For example, drivers of hired vehicles complained that the money provided was insufficient to fuel their vehicles to polling centers. Similarly, some clerks mentioned that the funds given to them did not cover their transportation and lunch expenses. This sentiment was echoed by an ECK presiding official from Kachibora in Trans Nzoia County, who stated:

"As an official managing a station, I suffered greatly because I ended up using my own money for some Electoral Commission of Kenya tasks such as fare from my residence to the polling station and training centers" (Oral interview, Kachibora, 4 Nov. 2015).

This illustrates that the funds allocated were inadequate to cover all ECK activities, including transportation expenses for officials. This aligns with Jinadu's (2014) assertion that managing election costs and finances is a challenge for EMBs in many countries, often leading to structural issues and budget deficits. EMBs often need to recruit large numbers of temporary staff and purchase equipment under tight time constraints, exacerbating these financial challenges. The convergence of results from both methods used in the study underscores the widespread acknowledgment that financial constraints were a significant challenge in conducting the 2007 General Elections.

Delay of results

The delay of results according to the respondents from Burnt Forest was supported by 13.1%. This was seen to be a challenge emanating from electoral management on how they handled results, especially at the constituencies

and national level. The delay of results at the national level affected the residents in the areas of study. This is contrary to the view that an independent electoral body is crucial for the conduct of free and fair elections. But it does not guarantee that the elections will at any cost be fairly managed (Wanyande, 2006). This is indicated by one of the election agents in Uasin Gishu County who said, "We expected results to be declared immediately but rather, the results were trickling in slowly by slowly making us think that something was going wrong" (*Oral interview, Kondoo farm, 7 March 2021*). This meant that the respondents expected to get results immediately after the close of polling stations but instead, it took days to declare the presidential results causing anxiety among the residents of the study areas. The situation on the ground was so tense that it created negative ethnicity among the communities who exercised their rights to vote leading to electoral violence in the 2007 General Elections.

Lack of trust and harassment by poll officials

The existence of lack of trust and harassment by poll officials was 8.8% among the victim respondents. This was because some respondents believed that the officials who were conducting the electoral process were after something especially those who were suspecting that there was a hidden agenda from the government. One political candidate from the PNU party in Burnt Forest said, "*I was so furious because most officials were turning deaf ears to their grievances*" (*Oral interview, Kondoo farm, 7 March 2021*). This led to mistrust from their supporters since the area was majorly ODM supporters discouraging other parties to have fair participation. The views of Human Rights Watch (2011), emphasised that the Orange Democratic Movement (ODM) won considerable support, which contributed to rising negative ethnic tensions between the Kalenjins and Kikuyus in those areas. In a Focused Group Discussion in Burnt Forest, a young woman participant said, "*Those at the top are planning to rig elections which we have waited for long*". (*FGD, Burnt Forest, 16 August 2015*). The participant thought that the 2007 General Elections was their turn to win but because of government, they had all the machinery to deny them the win. As a result of what was expected by some voters, it contributed to tensions in interethnic relations among the participants were not satisfied with the conduct of the elections.

Lack of voter trust in police officers to transport ballot materials to different destinations

The findings indicated that 4.3% believed that there was a lack of the victims' respondents' trust in police officers to accompany the transportation of polling materials to destinations. This was because, in every vehicle

transporting polling materials, at least two police enforcers were present. This caused some suspicion among the respondents because of a lack of trust to accept police as part of the players in elections. This is contrary to the view that EMBs demand from the police force duties beyond their normal remit where they need to work with security agencies, the armed forces and paramilitary bodies to protect and ensure the integrity of the electoral process (Adekanye and Iyanda, 2011). That portrayed lack of trust for politicians to be part of the election process which the EMBs rules are contrary to it. The majority of those interviewed said that transportation of voting materials including ballot boxes was a problem. One ECK counting/polling clerk in Kachibora interviewee who was a respondent said that being one of the clerks, the vehicles we were given was not in good condition. This meant that the vehicles used were not serviced well or were in pathetic condition. This was an inspection of vehicles owned by the owners that were not in good condition. That meant there was a convergence of results from the different methods used in collecting data. That portrayed failure of ECK in the conduct of elections. Those who participated must have had experience with what was affecting election materials during transportation.

Late opening of polling stations

Most of the polling stations opened two to three hours late. An election agent interviewee in Burnt Forest said, I woke up at 3 am only for the station to be opened at 9 am. I did not accompany the ballot boxes because my colleague who was also an agent for the ODM party was present” (Oral interview, Burnt Forest 7 March 2021). Delay to open stations on time was due to the delay of personal vehicles to transport materials and personnel or breakdown of vehicles. Another reason was due to long queues from the regional distribution centres. This was confirmed by one ECK presiding officer in Trans Nzoia County, who said, the distribution centres were very congested and it delayed the whole process. In his station, the exercise which was to begin at 8.00 am began at 10.00 am” (Oral interview, Makutano, 4 Nov. 2015). This could be taken as part of administrative inefficiency in election management as pointed out by IED, (1997). This created suspicion of ECK in conducting in common concerning the delay of election materials which was because of congestion in distribution centres and a problem with transport. This contributed to negative ethnicity which was a recipe for post-election violence of 2008 in the study areas.

Shortage of polling materials

There was also the issue of inadequate polling materials including voting papers and ink. This was common in most polling stations where streams were more than two.

One presiding officer in Uasin Gishu County said, I was a presiding officer in a polling station but at one point the voting papers were not enough. Getting more from the constituency centre was not easy and it made the voters speculate that something was not right” (Oral interview, Chuiyat 3 Nov. 2015). This meant that the papers provided for voting were not corresponding with the number of voters in the register. This is contrary to the views of Olawole et al. (2013) who asserted that the “Right to vote is rather a public function conferred upon citizens for reason for social expediency”. This could have been due to mismanagement by the electoral body over inefficiency in the conduct of elections. This was a factor that contributed to interethnic relations creating suspicion among voters in the study area leading to violence during elections.

Missing names of voters in the voter registers

The ECK polling clerk official who was interviewed reiterated that in some cases, the names of voters were not in the register or the black books but possessed voters cards from the same polling stations which was a great challenge to them. One of the polling clerks in Burnt Forest cited a case where the name was missing for a voter and the voter needed to vote because he believed it was his right. The voter had all the requirements and the place became chaotic until police enforcers had to intervene. This concurred with Olewole et al. (2013) that the Right to vote is rather a public function conferred upon the reason of social expediency. On the contrary, Owuor (2013) stated that getting a new register is to premise voter registration on the higher principle of accuracy, verifiability and the principles articulated in the constitution. This could avoid the challenges of missing names in the register. Other challenges that emerged from the data collected were: there was poor coordination between the Presiding Officers, Deputy Presiding Officers and the Constituency Returning Officers. Further, the polling staff did not have sufficient rest time on the night before polling day.

They also lacked food for lunch and supper making them fatigued. Some complained of difficulty in handling the seals because the training given was not enough.

Lack of cooperation from voters in the polling stations

Interview was conducted to find out whether there were more challenges experienced by presiding officers and one of the presiding officers in Kachibora said, In my polling centre, most voters were not very cooperative. They caused chaos by disrupting queues which the security officers stepped in on time” (Oral interview, Suwerwo, 4 Nov.2015). This was a result of the official not being from the locality and that caused discomfort

among the residents. It led to anxiety among the voters contributing to inter-ethnic relations which became volatile. Another official in an adjacent polling station in Trans Nzoia said that chaos almost erupted because agents under his control were in excess in the polling centre. This was a result of going against the rules in the Kenya Party Act that each party should have two party agents. In this case, PNU party agents were more because they were manning each stream unlike the ODM party and other smaller parties which gave only two-party agents per polling station. This became a loophole because parties were not uniformly following the rule. In my view, there was a misinterpretation of party rules since an omission of streams was not captured and also due to the financial muscle of parties within the playing ground. Such events led to supporters from different ethnic groups colliding thus a recipe for election violence which was experienced in 2007 post-election violence.

Interviews were conducted to identify challenges faced by presiding officers, and one officer in Kachibora stated:

"In my polling centre, most voters were not very cooperative. They caused chaos by disrupting queues which the security officers stepped in on time" (Oral interview, Suwerwo, 4 Nov. 2015).

This was a result of the official not being from the locality that caused discomfort among the residents. It led to anxiety among the voters contributing to inter-ethnic relations which became volatile. Another official in an adjacent polling station in Trans Nzoia said that chaos almost erupted because agents under his control were in excess in the polling centre. This was a result of going against the rules in the Kenya Party Act that each party should have two party agents.

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Challenges experienced by ECK officials

The researcher collected data from ECK polling and counting clerks' officials to find out the challenges they experienced in the course of conducting voting in their areas of jurisdictions in the study areas.

After the analysis to figure out challenges experienced

by ECK officials, it was found that 10.5% of respondents believed that lack of finance was a challenge while 21.1% believed that time was limited. Only 5.3% of the respondents that a massive number of voters in a populated area was a challenge while 10.5% believed that the voter's names were missing, poor coordination and poor security in polling stations respectively also 5.3% believed that there were fewer ballot papers and sealing of votes which was also a challenge to the officers respectively and finally, 21.1% believed that lunch was a problem as illustrated in Table 1. From the respondents, a lack of finance emerged. This view has been given (Jinadu, 2014) that the ECK body must be well financed to enable the smooth running of the process. The cost of elections and proper management of their finances is a problem for most EMBs in some developing countries. They suffer from chronic structural problems and budget deficits and 'rather than relying on the civil service, large numbers of temporary staff must be recruited and equipment purchased, often through a procurement process that must be conducted under extreme time pressures. In Kenya, apart from operational costs of core-related activities such as voter registration, voter education, constituency delimitation, the printing of ballot papers, purchase of ballot boxes and election security management, there are costs of electoral management and administration which Uasin Gishu and Trans Nzoia are not exceptional. This contributed to the 2007 post-electoral violence because of laxity within the EMBs and the government to allocate sufficient funds to the election process. One of the ECK polling clerk respondents in Burnt Forest said that ECK was not giving them enough money to run the exercise which is so tedious. There is no motivation for the clerks across the board. Therefore, lack of finance for officials contributed to laxity hence relaxing the rules of opening and even closing polling stations on time. This is inconsistent with the duties of ECK officials in an election act, (2011) to open and close polling stations in the stipulated time.

Conclusions

Based on a comprehensive review of literature and primary data gathered through questionnaires, interviews, and Focus Group Discussions, the researcher concluded that significant obstacles indeed hindered the smooth conduct of the 2007 General Elections, contributing to interethnic tensions in Uasin Gishu and Trans Nzoia counties. The Electoral Commission of Kenya (ECK) faced numerous challenges during this period, including poor coordination, inadequate funding, insufficient voting materials, missing names on voter registers, and inadequate personnel and polling stations. These challenges underscored how electoral management was compromised by political influence, particularly in terms of funding limitations that impacted essential infrastructure

Table 1. Challenges experienced by ECK official's challenges frequencies.

Challenges	%
Lack of finance	10.5
Limited time	21.1
Massive voters in populated areas	5.3
Voter's missing names	10.5
Challenges experienced by ECK officials	
Poor coordination	10.5
Poor security in polling stations	10.5
Less ballot papers	5.3
No lunch	21.1
Sealing of votes	5.3
Total	100.0

for conducting elections effectively.

RECOMMENDATIONS

This study recommends implementing a policy for electoral violence management that includes monitoring and voter-centered strategies on a long-term basis, ensuring continuity between general elections. Practitioners and policymakers in electoral violence management should focus on supporting political party development, enhancing citizen education and media training, continuously monitoring volatile areas during and around by-elections, and allocating sufficient resources to maintain monitoring capacity during elections.

CONFLICT OF INTERESTS

The authors have not declared any conflict of interests.

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