

# ELECTIONS

## BILA NOMA 2022

### THE KENYAN EXPERIENCE





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ISBN 978-9914-9894-4-1



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# Table of Contents

<b>Foreword</b>	v
<b>Acknowledgements</b>	vii
<b>Executive Summary</b>	viii
<b>Abbreviations and Acronyms</b>	xi
<b>CHAPTER ONE</b>	<b>1</b>
<b>KENYA'S ELECTORAL LANDSCAPE: AN OVERVIEW</b>	
1.0 Introduction	1
1.1 Historical Background and Context	1
1.2 Rationale	2
1.3 Objectives	3
1.4 Methodology	3
1.4.1 Sampling	3
1.4.2 Data Analysis	6
1.4.3 Research Ethics	6
1.5 Structure of the Report	6
1.6 Definition of Terms	7
<b>CHAPTER TWO</b>	<b>8</b>
<b>SOCIO-POLITICAL DYNAMICS AND ELECTORAL TRENDS: A NEXUS</b>	
2.0 Introduction	8
2.1 History of Democracy in Africa	8
2.2 Peace and Conflict Dynamics in Electoral Contexts	9
2.3 Contextualisation of Peace and Cohesion in Kenya	9
<b>CHAPTER THREE</b>	<b>11</b>
<b>ELECTIONS 2022</b>	
3.0 Introduction	11
3.1 State of Peace and Cohesion	11
3.1.1 What constitutes a peaceful election in Kenya	11
3.1.2 Meaning of Cohesion	13
3.2 Levels of Peace before, during and after the 2022 General Election /Conflict Dynamics across the Regions and Counties	14
3.3 Intra and Inter-Communal Relations in the 2022 Elections	17
3.3.1 Connectors and Dividers	20
3.4 Performance of Various Actors in the 2022 General Election	22
3.4.1 Independent Electoral and Boundaries Commission (IEBC)	22
3.4.2 National Police Service (NPS)	23
3.4.3 Office of the Registrar of Political Parties	24
3.4.4 Judiciary	24
3.4.5 Independent Policing Oversight Authority (IPOA)	25
3.4.6 International Observers & Diplomatic Corps	25
3.5 Role of Actors in Peace Building	26
3.5.1 National Government Actors	26
3.5.2 Transport Sector	27
3.5.3 Civil Society Organisations (CSO's)	27
3.5.4 Faith-Based Organisations (FBOs)/Religious Groups	28
3.5.5 Women	28
3.5.6 Youth	28
3.5.7 Media	28
3.6 NCIC's Strategy towards a Peaceful Election	30
3.7 Proud to Be a Kenyan?	31
3.8 Summary of factors that contributed to the peaceful elections	32

## CHAPTER FOUR

34

### CONCLUSION AND RECOMMENDATIONS

4.0 Introduction	34
4.1 Emerging Trends and its impact on the Elections	34
4.1.1 Shifting Gender Dynamics	34
4.1.2 The Effect of COVID-19 Pandemic on the Electioneering Process	34
4.1.3 Effective EWER System	34
4.1.4 Role of Religion in Influencing Voting Patterns	35
4.1.5 Voter Apathy and Disillusionment	35
4.1.6 Voter Bribery and Handouts Culture	35
4.1.7 Absence of Conflict but Presence of Negative Peace	35
4.1.8 Shift in Voting Patterns	36
4.1.9 High Cost of Living and Effects of Covid-19 Pandemic	37
4.2 Lessons Learnt	37
4.2.1 Election success is a function of a well-coordinated multi-sectoral approach and many other attendant factors such as legal framework, EWER mechanisms, stakeholder coordination, civic and voter education, peace campaign, training, etc.	37
4.2.2 Conduct of politicians in the August 2022 Elections played a role in enhancing peace and tranquility	37
4.2.3 Empowered and Resilient Kenyans can be credited to the years investments in Kenyans' peace infrastructure and democratic process	38
4.2.4 Open and transparent electoral processes leads to reduced suspicion and thus increased trust in elections outcome	38
4.2.5 Kenyans' understand the meaning of social cohesion, what unites and divides them - and are generally peace loving and upholds the rule of laws - it's the politicians that influence their conduct through incitement to violence.	38
4.2.6 The Kenyan security sector do have the capacity to maintain law and order, if adequately resourced and supported - as it was the case in 2022.	38
4.3 Conclusions	38
4.4 Concerns	39
4.4.1 Increase in Hate Speech and Cyberbullying	39
4.4.2 Voter Apathy	39
4.4.3 The Church and the State	39
4.4.4 Civic and Voter Education	39
4.4.5 Security of IEBC Officials	40
4.4.6 The Supreme Court Ruling	40
4.4.7 Inter-Communal Trade	40
4.4.8 Data Protection	40
4.4.10 Voter Bribery	40
4.4.11 Relocation of non-natives	40
4.4.12 Non-inclusivity of PWDs	41
4.4.13 Public Servants and Politics	41
4.4.14 Non-inclusivity of Women	41
4.4.15 Organized Crime	41
4.4.16 Healing and Reconciliation	41
4.5 General Recommendations	41
4.6 Institution-Specific Recommendations	43

## List of Tables

<b>Table 1:</b> Cochran's Formula	4
<b>Table 2:</b> Sample Size	4
<b>Table 3:</b> Summary of Study Sample	5
<b>Table 4:</b> Responses on 'what constitutes a peaceful election?' by region.	12
<b>Table 5:</b> Conflict/Violence Incidents	15
<b>Table 6:</b> Positive Community Relations per County and Attribution	18
<b>Table 7:</b> Negative Community Relations per County and Attribution	19
<b>Table 8:</b> Connectors and Dividers in the Kenyan Society	21
<b>Table 9:</b> Institution Specific Recommendations	43

## FOREWORD



The year 2022 election shall go down in history as one of the most peaceful elections Kenya has ever had. The fact that there was only one election-related death marks the first time in decades that this has been the case. The nation has clearly learnt many lessons from the past and is now in a space of peace during election time. This signifies that there is increased political tolerance, more responsible leadership, minimal hate speech, and less political discourse around division and ethnic violence.

From the year 2008, NCIC has been tasked with ensuring cohesion and peace in the country, and in obedience to this mandate the Commission played a major role in delivering peace in the 2022 elections. By launching and executing the “Elections Bila Noma Roadmap” NCIC committed itself to ensuring that the 2022 elections would be violence-free.

The objective of the Roadmap was to use a research-based multi-pronged strategy to ensure that the most effective tools were brought to the fore to achieve a violence free election. To this end, the Commission held various symposia with inter-alia the religious community, boda boda riders and youth to get them committed to a violence-free election, but also that they all agreed to become peace ambassadors. Various peace events such as concerts, regional forums and peace caravans were also held to ensure that the public was engaged in the peace building process. The Hotspot mapping exercise undertaken between January and April 2022 enabled the security agencies to deal with the high risk areas early enough in the campaign period. By July 2022, the high and medium risk areas had been reduced to low risk, which significantly contributed to peaceful electoral process.

Further, the Commission invested in forensic capacity to capture hate speech in rallies and other political fora as well as on social media, from which we were not only able to pick up conversations in Swahili and English but also in other vernacular languages such as Luhya, Luo, Kikuyu and Kamba. This capacity meant that we were able to identify hate speech terms that enabled us to come up with the Hatelex, a lexicon of words and phrases that were used to spread hate and division. This capacity also allowed us to intervene in time when there were contraventions of the law.

Key to the Commission’s Roadmap was working in tandem with various partners. This plan saw us partner with various NGOs and CBOs across the country. We worked together to bring peace to areas that experienced conflict before the election period. We also partnered with the international community in delivering the framework against hate speech, as well as a documentary dubbed the “tongues of war”, which highlighted how the use of hate speech was always a precursor to any major violence.

Our Roadmap also included working with various election stakeholders such as the Independent Elections and Boundaries Commission (IEBC), the Office of the Registrar of Political Parties (ORPP) and the various political parties. To this end, and in close partnership with the KEPSA-led initiative Mkenya Daima and Special Olympics Kenya, we invited all presidential political candidates, all registered political parties and the various government agencies to a peace torch-lighting ceremony. The four presidential

candidates signed the NCIC Political Decency and Peace Charter, whose commitments included accepting the election results and in case of dispute to petition the Supreme Court.

All of these activities led to a more sensitised public, as well as a more cautious political class fortified by an IEBC that was committed to delivering a credible election. These efforts, therefore, bore a great peace dividend to the country that led to the kind of election we witnessed.

Throughout, we were conscious of the need to go beyond the “necessary” of awareness-raising regarding the benefits of peace, then beyond resulting attitude change to such an objective, to the “sufficient” of behaviour change. For it is only through seeing this ultimate change that the Commission can fulfill its mandate.

We are conscious too that we must be able to adequately show the cause-and-effect (attributability) links between our work and its consequences. In our kind of engagement this is not straightforward to achieve, more so given our close collaboration with so many partners. But we have made efforts to seek feedback on the perception of our impact and have received many positive and encouraging assessments from credible observers and analysts.

At one time we were – very wrongly – just seen as being ‘The Hate Speech Commission’, but this stemmed from the fact that much of our core work was quiet and very effective behind the scene conflict resolution and peacebuilding in different communities. We were also described as “toothless bulldogs”, due to our lack of prosecutorial powers, but as we developed much closer relations with those who possessed them the need for us to acquire them diminished.

A postmortem of the events of 2022 shows that a huge majority of Kenyans feel that there was peace and cohesion in the 2022 election. Even though a section of Kenyans feel disgruntled at the election results, they still consider Kenya peaceful... though in a state of “negative peace”.

Our work is not yet done, we have achieved a major milestone but this can only mean that as a nation we need to build on such success. We need to address the various issues that bring about conflict chief of which is to deal with the maldistribution of wealth in our nation. We need to support the government in its effort to ensure social-economic transformation, which would deal with the issues of structural inequality whose eradication is a key aspect of the NCIC mandate. The socio-economic transformation paradigm resonates with the bottom-up approach, the foundational ideology of the Kenya Kwanza government. It is also vital that we and others bring our national values into prominence, promoting the living of them by Kenyans at levels, not least our leaders. A key area where this is relevant is in campaign financing.

As NCIC, we are committed to extending the “Elections Bila Noma” Roadmap to ensure “Elections Bila Noma Milele” (violence-free elections forever), as well as working to see Kenya remain a peaceful and cohesive nation for the prosperity of all.



**Rev. Dr. Samuel Kobia, CBS**  
**COMMISSION CHAIRMAN**

## ACKNOWLEDGEMENTS



**K**enya held its General Election on August 9th 2022 which emerged one of the most peaceful one in a long history. This is a departure from the subsequent elections held 2007, 2013 and 2017. The success of the 2022 General election is attributed to the different roles played by both state and not state actors in strengthening democratic processes thus preventing electoral violence that had become synonymous to Kenyan elections.

Specifically NCIC, through its Election Bila Noma” Roadmap, was very successful in coordinating different actors towards a common goal of realizing elections ‘Bila Noma’ Key achievements are outlined in the study findings of the Post-Elections Assessment Report. This study was conducted between September and October across eight (8) regions of Kenya namely: Nyanza, Western, Rift Valley, Coast, Central, North Eastern, Eastern and Nairobi, directly sampling 23 counties.

I take this opportunity to acknowledge the invaluable and outstanding leadership provided by NCIC Commissioners in the execution of ‘Elections Bila Noma’ strategies, as led by Ad Hoc Committee for the implementation of the Elections Bila Noma Roadmap, which have contributed to the success of 2022 General Elections. Further, their guidance that conceived the idea of conducting the Post Elections Assessment Study, in a bid to assess the state of peace and cohesion post 2022 elections.

On behalf of the Commission and my own behalf, I wish to commend the team of staff, who have been involved in this study right from the conceptualisation, data collection, collation and analysis and writing of the report as led by the Director for Research and Knowledge Management, Ms. Millicent Okatch supported by a team of staff drawn across different departments as follows; Olive Metet, Jane Kamau, Richard Nderitu, Jescah Otieno, Mohamed Dahiye, Munini Mutuku, James Wanyande, Francis Merinyi, Mary Kabiru, Nancy Mulu, Brian Enzoveli, Daniel Mado, Roselyn Kamau, Cynthia Shituku, Marygoretti Awino, Joshua Baru, Thomson Muthama, and Phenny Akinyi.

The Commission wishes to extend gratitude to the stakeholders who participated in various stages of the study and development of this report, for their valuable comments and suggestions, which has gone a long way in enriching the report.

I wish to most sincerely thank UNDP, whose financial support has enabled the undertaking of the study and publication of the report. I also extend my appreciation to all the development partners whose financial contribution and technical support led to the successful implementation of Elections Bila Noma road map. Specifically, I thank the Embassy of Sweden, European Center for Elections Support (ECES), Danida Act!, Swiss Embassy, GIZ, NACADA, UWIANO partners, the media, and many others.

A handwritten signature in black ink, appearing to read 'Skitter W. Ocharo'.

**Skitter W. Ocharo, PhD, HSC**  
**COMMISSION SECRETARY/CEO**



## Executive Summary

**E**lections in the past have had a diverse effect on the status of peace and cohesion in Kenya, with a retrospection of successive disputed elections dating to the precolonial period. NCIC, whose mandate is to promote harmonious and peaceful coexistence in Kenya, set the foundation for ensuring a violence free election through its 'Election Bila Noma' Roadmap where a raft of measures were laid out towards achieving peaceful elections.

With the August 2022 Elections concluded, it is necessary to inform the country on the current state of peace and cohesion; whether the strategies bore fruits; document lessons learnt and proffer immediate strategic actions towards national unity and prosperity of the country. NCIC therefore undertook a Post-Elections Peace Assessment with the overarching goal of assessing the state of peace and cohesion post August 2022 Elections. The assessment was guided by the following objectives: -

- i.** To determine the status of peace and cohesion in the context of the 2022 General Election in Kenya;
- ii.** To assess the effectiveness of different strategies adopted to ensure peaceful elections including the Elections Roadmap to a violent-free election – '*Election Bila Noma*'.
- iii.** To document factors that contributed to a peaceful 2022 General Election and draw lessons learnt.
- iv.** To provide strategic policy directions to guide Kenya towards peaceful coexistence post the electoral period.

The Post Elections Peace Assessment Study, which was carried out in all the eight regions of Kenya, between September and October 2022, adopted a mixed approach method, where both quantitative and qualitative methodologies were used to collect data. From a desired sample size of 3,465, a total of 3,262 individuals were reached – a more than 94% response rate for the individual interviews, with 135 key informants contacted and 570 individuals reached through focus group discussions.

Findings revealed that the August 2022 General Elections were generally peaceful compared to the previous ones. Indeed, more than 91% of Kenyans indicated that the just concluded elections were the most peaceful under the new constitutional dispensation of 2010. This factor could explain why 93% of participants indicated that they were proud to be Kenyans despite some challenges with the electoral processes coupled with the harsh economic situation in the country. Further, 8% of the Kenyans mentioned that the elections were somewhat peaceful to mean that as much as the elections were majorly peaceful, some incidents may have happened before, during and after the elections. Only a paltry 1% felt that the elections were not peaceful.

The tremendous investments by state and non-state peace actors in promoting peaceful coexistence, Kenya's legislative reforms to improve election management and the effects of increasing cost of living bolstered peace and cohesion.

The study confirmed that the August 2022 Elections, did not disrupt levels of peace as may have been perceived following the release of Conflict Hotspot Mapping report published by NCIC in May 2022. The peace and conflict dynamics remained the same before, during and after the elections. This is an indication that the peace interventions were effective.

In fact, the study has asserted that the peace enjoyed over the electioneering period was majorly attributed to the multi-faceted interventions carried out by both state and non-state peace and security stakeholders. Other responses proffered included the high cost of living coupled with effects of post Covid-19 pandemic. Majority of Kenyans did not want to be exposed to any situation that would further disrupt their lives, as they were already heavily burdened with high cost of living. Through various awareness engagements on the need to uphold peace and the importance of harmony in the Kenyan societies, Kenyans seemed to be more educated on the need to shun violence and promote use of constitutional processes while seeking justice in instances where someone disputes the election outcome.

On cohesion, the majority of Kenyans understood it to mean that people from diverse backgrounds and settings lived peacefully together without discrimination. Findings revealed that despite elections being regarded as majorly peaceful, the levels of communal relations seem to have been fluctuating at all phases of the electioneering period. The highest levels of cohesion were reported in the pre-election period, which stood at 89%. It went down during the voting day (82%), and slightly improved in the post-election period (85%). This could be understood in two ways: firstly, decreased violent incidents during the electioneering processes, and then the quick determination of the presidential petition by the Supreme Court that enabled the country to quickly return to normalcy. Additionally, only 12% of Kenyans seemed unsure that the inter- and intra-communal relations had been disrupted by the electioneering processes, while only 2.7% were blatantly sure that the relations had been majorly affected. This could be linked to the hotly contested polls that almost split the presidential vote into two halves.

In terms of factors that either bring people together or contribute to divisions among people/ communities, findings revealed that interdependence on economic activities, good governance at all levels of leadership, shared social resources/amenities, religion and ethnicity were the leading connectors; while divisive politics, negative ethnicity, favoritism and biases in distribution of resources and hate speech on media (both social and mainstream media) were the main dividers. This means that there is a need for more focus on promoting interventions that would solidify the connectors across the country.

Kenyans seemed upbeat that many interventions fronted by different agencies – both state and non-state – yielded fruit and majorly contributed to peace experienced in the pre-election, during and post-election periods. Indeed, more than 85% of participants mentioned that the peace enjoyed by Kenyans during the electioneering period could be linked to peace and security interventions by different peace and security actors. Leading concerns by communities included the fear of being left out of national government opportunities and resources, especially from areas perceived to have voted for the Azimio Coalition; the perceived dominance of the Presidency by two ethnic groups, namely the Kikuyu and Kalenjin communities; voter apathy, especially by the youth, and voter bribery where some Kenyans demanded payment before voting for any candidate.

The 2022 General Elections also portrayed a new shift in voting trends, gender dynamics, the place of religion in politics as well as the effects of the COVID-19 pandemic and the high cost of living on elections, all having a direct impact on the August elections.

As much as elections were peacefully held, the findings demonstrated that a section of Kenyans remained uncertain of their future, especially hinged on voting patterns that some felt could have a consequence on sharing of the national cake. The past trends have demonstrated that those areas perceived to be in the opposition have been left out of development projects and of receiving a share of national opportunities. The regions that mostly voted for the Azimio Coalition expressed concern that they might be excluded from the government of the day. Further still, a majority of people mentioned that they lacked space in which to vent their frustrations, thereby indicating a state of negative peace in some of these regions.

The study recommends the urgent need for the new government to unite the country through ensuring inclusivity in the sharing of the national level opportunities and resources; to embark on healing and reconciliation to ensure the people who did not vote for the new administration are brought on board and historical grievances tackled; to relook into the issue of voter apathy by putting in place and implementing appropriate strategies before the 2027 General Elections; to enforce the law on the Election Offences Act, 2016 to curb the issue of voter bribery. Voter education will also be instrumental in persuading Kenyans to actively take part in voting processes, thus reducing voter bribery and apathy as has been in the case of the August 2022 Elections. Voter education should commence early enough in the electoral cycle, and this to go beyond mere awareness raising through to actual behaviour change.

The IEBC officials who were exposed to a lot of intimidation and threats due to their role in the electoral process need to be accorded more security at all times. The need to decentralise NCIC to the constituency level also came up as an important measure of sustaining peace and cohesion, and also of bringing their services closer to the people. Kenyans were largely concerned that most of the NCIC work was seen and felt during the electioneering periods and largely fizzled out immediately after the elections.

## Abbreviations and Acronyms

ACT	Act Change Transform
BVR	Biometric Voter Registration
CBO	Community Based Organisation
CHV	Community Health Volunteer
CJPD	Catholic Justice and Peace Department
COVID-19	Corona Virus Disease 2019
CSO	Civil Society Organisation
DCC	Deputy County Commissioner
ECA	Economic Commission for Africa
EMB	Electoral Management Body
EWER	Early Warning Early Response
FBO	Faith Based Organisation
FGD	Focus Group Discussion
GEMA	Gikuyu, Embu and Meru Association
ICC	International Criminal Court
IEC	Information, Education and Communication
ICT	Information and Communications Technology
IEBC	Independent Electoral and Boundaries Commission
IPOA	Independent Policing Oversight Authority
KADU	Kenya African Democratic Union
KANU	Kenya African National Union
KASH	Keeping Alive Societies Hope
KICC	Kenyatta International Convention Centre
KIEMS	Kenya Integrated Electoral Management System
KII	Key Informant Interview
KNCHR	Kenya National Commission on Human Rights
MP	Member of Parliament
MCA	Member of County Assembly
MDA	Ministries, Departments and Agencies
MPI-KENYA	Mathare Peace Initiative
MTRH	Moi Technical and Referral Hospital
NCCK	National Council of Churches of Kenya
NCIC	National Cohesion and Integration Commission
NGAO	National Government Administration Officer
NGEC	National Gender and Equality Commission
NPS	National Police Service
ODM	Orange Democratic Movement
ORPP	Office of the Registrar of Political Parties
PEV	Post-Election Violence
PR	Public Relations
PSC	Public Service Commission
PWD	Person with Disability
SGBV	Sexual and Gender Based Violence
SIGs	Special Interest Groups
SMS	Short Message Service
SOPs	Standard Operating Procedures
SPSS	Statistical Package for Social Sciences
STATA	Statistical Analysis Package for Data
UDA	United Democratic Alliance
UN	United Nations
UNDP	United Nations Development Programme

# CHAPTER ONE

## KENYA'S ELECTORAL LANDSCAPE: AN OVERVIEW

### 1.0 Introduction

This chapter presents an overview of Kenya's electoral landscape, highlighting the historical background and context, the rationale for this study, as well as the methodology used.

### 1.1 Historical Background and Context

Elections are an indispensable and sustaining feature of democracy. The expiration of tenures or circumstantial demands call for the filling of political offices. Elections are the means through which citizens exercise their rights to be involved in government, directly or indirectly through freely chosen representatives. Kenya's political landscape has seen remarkable transformation since multi-partyism was introduced in 1992, with the country's political landscape characterised by ethnicisation of politics and parties coalescing around tribal and regional power (Asingo, 2003). Kenya held its third general election under the progressive 2010 Constitution on 9th August 2022. These elections were held against the backdrop of a history of disputed electoral outcomes, successively in 2007, 2013 and 2017.

Generally, Kenya has widely been perceived as a safe haven in the Africa region, looked upon for its peace, stability, and democracy. Nevertheless, the country has also suffered from a complex domestic conflict landscape, which spikes during electioneering periods, the hallmark being 2007 Post Election Violence (PEV). Following the announcement of the presidential election results on December 30, 2007, Kenya experienced severe electoral violence leaving more than 1,100 people dead, 650,000 displaced and the country deeply divided. The March 4, 2013 elections were held under incredible optimism as they took place against the backdrop of a new legal framework, a fresh election commission and a reformed judiciary. With the proceedings of the International Criminal Court (ICC) influencing political alliances and campaigns, and the aftermath of the PEV still lingering in the minds of Kenyans as they yearned for an end to impunity, the country went through a peaceful election that was lauded by many observers as free, fair and credible (Maupeu, 2013). Although there were isolated cases with the then opposition leader Raila Odinga refusing to accept the results, a state of prevailing peace engulfed the air, with Kenya redeeming itself by proving that it can handle its problems through its established institutions.

The 2017 general election took place on August 8th in the context of extremely tight contestations, historical score settling between the leading presidential contenders, and the effects of Kenya's new devolved constitution being felt for the first time. The Kenya National Commission on Human Rights (KNCHR) reported human rights violations, including beatings and killings by security forces, as well as sexual violence against women and girls. The security situation deteriorated further in the period leading up to the October 26th fresh election with the then lead opposition leader discouraging his supporters from voting. The election itself was marred by violent protests in Western regions of the country and Nairobi's volatile slum areas. Cumulatively, all the three past elections have been highly competitive and polarised, principally because political parties and coalitions were organised along ethnic or regional affiliations.

## The National Cohesion and Integration Commission

From the foregoing, it is clear that the history of electoral violence in Kenya is so deeply entrenched and is as old as Kenya itself. The outbreak of violent escalations is often the expression of socio-historical grievances, which have endured over generations and in many cases have their origins in the British Colonial Regime (Khadiagala, 2010). The 2007/08 PEV led to the signing of the National Accord that established the Agenda Four Commissions, including the National Cohesion and Integration Commission. NCIC is a statutory body established under the National Cohesion and Integration Act No. 12 of 2008. The establishment of NCIC occurred as a result of the recognised need for a national institution to promote national identity and values, mitigate ethno-political competition and ethnically motivated violence, eliminate discrimination on an ethnic, racial and religious basis and promote national reconciliation and healing.

Cognisant of Kenya's historical challenges around elections, NCIC developed a national strategy of an Elections Roadmap with the objective of setting the peace agenda and much needed direction to attaining peaceful and violent-free elections. This Roadmap strategic actions to be undertaken to provide proper policy direction. NCIC, being conscious of its mandate of ensuring peaceful and harmonious coexistence among all communities living in Kenya, unveiled its Roadmap to a peaceful and violent-free 2022 general election dubbed 'Elections Bila Noma' on December 20, 2020. At the heart of the Roadmap was a resolution for NCIC to join hands with other partners and bring to life five transformative actions to curb identified roadblocks to peaceful elections in Kenya (NCIC, 2020).

### 1.2 Rationale

The Kenya Constitution provides for presidential elections after every five-year term with eligibility for re-election once. On August 9, 2022, Kenyans went to the polls to elect leaders who would manage the country's affairs at both national and county level. The elections were held against the backdrop of significant economic discontent, with many Kenyans concerned about the rising cost of living, inequality, public debt, and pervasive corruption. This with the incumbent distancing himself from his then deputy Dr. William Ruto and endorsing his long-time rival Raila Odinga, who together with President Uhuru supported the Building Bridges Initiative (BBI) that the courts declared unconstitutional. In all this, the former Premier's supporters were convinced he would clinch the presidency. The presidential election was billed as one of the most tightly contested in the country's electoral history. At the county level, approximately 23 governors were transiting the stage, further complicating the transition process.

Following the voting that was conducted across the country on August 9, 2022, Kenyans entered a cloud of suspense in the days prior to the declaration of the presidential results. While the Independent Electoral and Boundaries Commission made available the results from polling stations on a portal, it did not offer its own tally, thereby creating suspicion and a national maths puzzle, especially within the Azimio coalition strongholds. A few hours to the announcement of the presidential winner, the Azimio chief agent, Saitabao Ole Kanchory, accused the IEBC of foul play, terming the Bomas of Kenya a 'scene of crime'. Four dissenting IEBC Commissioners disowned the results terming them 'opaque', further complicating the electoral process. Prior to the declaration, the country witnessed confident statements on social media that bred expectations of victory amongst supporters of both alliances. On August 15, 2022, IEBC declared Dr. William Ruto as Kenya's fifth president in what analysts termed 'an election drama at the Bomas of Kenya'.

Although the electoral process was largely considered peaceful and lauded by international observers as ‘free, fair and credible’ , isolated conflict and violent incidents (some of them by members of the political class) were reported across the country . While Kenya was able to avoid the large-scale violence that typified several past elections, the 2022 elections were characterised by a tense political environment throughout the electioneering period, from the party primaries to the declaration of the winner.

Although so far the public mood in this uncertain time has been hopeful and calm, it is feared that a section of Kenyans remain disillusioned. With clear indications that the political environment remains bumpy, there are concerns that the situation is likely to trigger ethnic conflicts, especially over resource allocation, as witnessed in the past. It is for this reason that NCIC undertook a Post Elections Conflict assessment to acquire a detailed understanding of the peace and security situation in the country and subsequently inform programming, as well as other peace sustaining interventions aimed at addressing the needs of the citizenry at both the national and county levels.

### 1.3 Objectives

Specifically, the study sought to:

1. Determine the status of peace and cohesion in the context of the 2022 general election in Kenya;
2. Assess the effectiveness of different strategies adopted to ensure peaceful elections including the Elections Roadmap to a violent-free election – ‘Election Bila Noma’;
3. Document the factors and lessons that contributed to a peaceful 2022 general election;
4. Provide strategic policy directions to guide Kenya towards peaceful coexistence post the electoral period.

### 1.4 Methodology

To achieve the objectives of the research, the study adopted a mixed methods approach, using the cross-sectional research design. The use of both the quantitative and qualitative methodologies was in recognition of the weaknesses and strengths of each method to enable triangulation of data. Data was collected using questionnaires, focus group discussions and interviews from key informants.

#### 1.4.1 Sampling

In determining a representative sample for the quantitative data, the assessment made use of the multi-stage random sampling technique in which every region of the country was treated as a cluster on its own and then the Cochran’s formula [1] applied to draw a desired sample. The sample was then proportionally distributed across the counties based on the number of households as established by the 2019 population and housing census report. Cochran’s formula is considered ideal in determining a representative sample for large populations.

$$N_0 = \frac{Z^2 pq}{e^2} \quad \text{where:}$$

Table 1: Cochran's Formula

p is the (estimated) proportion of the population which has the attribute in question (50%)	0.5
q is 1 – p	0.5
Z = The z-value is found in a Z table. Refers to the critical value for the confidence level of 95% confidence level	1.96
Number of targeted individuals	31,630,351
e is the desired level of precision	0.05
$N_0$ = Desired representative sample size	3,465

Applying these values gives a sample of 385 individuals in each region. A random sample of 385 individuals in each of the target regions was considered representative of the total number of target populations.

Table 2: Sample Size

Region	County	Population	House Holds (HH)	Population Size
Western	Kakamega	1,867,579	432,284	168
	Bungoma	1,670,570	357,714	139
	Busia	893,681	197,944	77
Nyanza	Kisumu	1,155,574	300,745	167
	Migori	1,116,436	240,168	134
	Nyamira	603,051	150,669	84
Central	Nyeri	752,695	248,050	124
	Kirinyaga	605,630	204,188	102
	Murang'a	1,056,640	318,105	159
Coast	Mombasa	1,208,333	378,422	171
	Kilifi	1,453,787	298,472	135
	Kwale	866,820	173,176	78
Central Rift	Narok	1,157,873	241,125	146
	Bomet	875,689	187,641	114
	Kericho	901,777	206,036	125
South Rift	Nakuru	2,162,202	616,046	207
	Trans Nzoia	990,341	223,808	75
	Uasin Gishu	1,163,186	304,943	103
Upper Eastern	Meru	987,653	244,669	248
	Isiolo	268,002	58,072	59
	Marsabit	459,785	77,495	78
North Eastern	Garissa	841,353	141,394	138
	Mandera	867,457	125,763	123
	Wajir	775,302	127,932	125
Nairobi	Nairobi	4,397,073	1,494,676	260
	Kajiado	1,117,840	316,179	55
	Machakos	1,414,022	402,466	70
<b>Total</b>		<b>31,630,351</b>	<b>8,068,182</b>	<b>3,465</b>

Source: KNBS, National Census Report, 2019



In terms of the qualitative data, Focus Group Discussions (FGDs) and Key Informant Interviews (KIIs) were applied to gain more insight into the peace and security situation of the country post the elections. The purposive sampling technique was used to arrive at the study participants in all the nine regions spelt out above.

For the FGDs, participants were divided into groups targeting Special Interest Groups (women, youth & PWDs), as well as the existing peace structures/actors (including elders, Nyumba kumi, CSOs, peace committees etc.), with each group consisting of at least 12 participants. In terms of the KIIs, the study used open-ended questions through a semi-structured interview guide while carrying out the interviews. Participants including County Commissioners, Electoral Management Bodies (EMBs) heads, Civil Society sector representatives, Religious leaders, Business Community leaders, County Government Officials and Bloggers were interviewed either in person or virtually. The primary population in this study targeted citizens above 18 years. The FGDs and KIIs provided space for a naturalistic search for relativity in meaning through augmenting the voices of participants on their experiences during the electoral cycle. In total, the exercise reached 3,967 participants as shown below:

Table 3: Summary of Study Sample

	Data Collection Method	No. of Research Participants
1.	Questionnaire	3,262
2.	48 Focus Group Discussions targeting at least 12 participants each	570
3.	Key Informant Interviews	135
	<b>Total</b>	<b>3,967</b>

On the other hand, the quantitative data was collected using a structured survey tool developed and distributed both online and in person to a cross-section of a randomly selected population across the target regions. A total of 3,262 participants filled in the questionnaire as depicted in the table above.

Notably, with regard to gender, 54% of the study participants were male, while 46% being female as illustrated in Figure 1 below. The majority (39%) of the participants comprised a section of youth aged between 26 to 35 years as illustrated in figure 2:

Figure 1: Participants by Gender

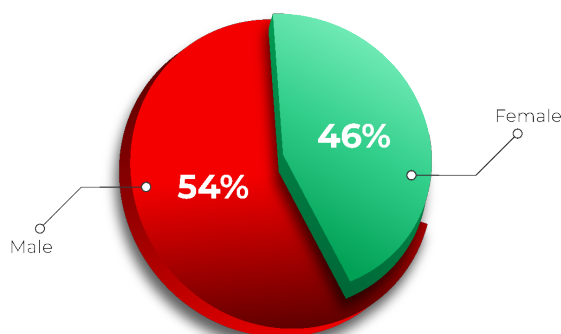
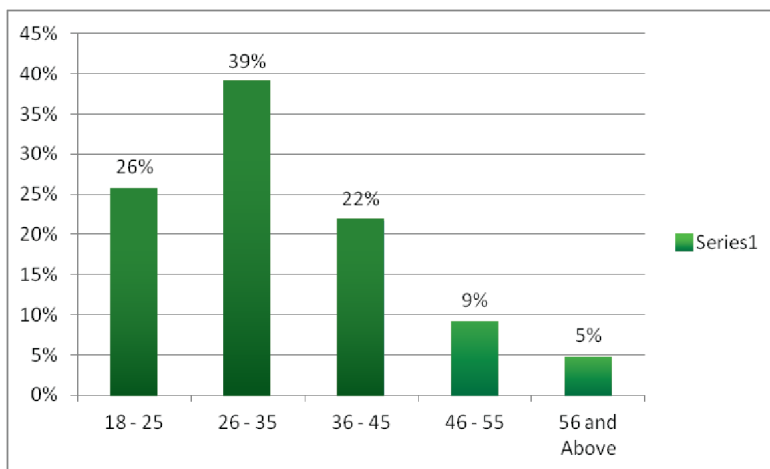


Figure 2: Participants by Age



### 1.4.2 Data Analysis

Data analysis was done using both descriptive and narrative techniques. Data generated from the questionnaires, interviews and discussions was cleaned in readiness for analysis using the Statistical Package for Data (STATA) and the six-point procedure for generating themes respectively (Ong'ondo & Jwan, 2020). Quantitative data was analysed to produce frequencies, descriptive and inferential statistics that were used to derive conclusions and generalisations regarding the population. The quantitative data was reported in the form of percentages, tables, graphs and charts. Respectively, qualitative data was analysed thematically to produce narratives complete with sub-themes, specific illustrations and multiple perspectives from participants in the form of verbatim quotations.

### 1.4.3 Research Ethics

Although there were no identifiable risks in this study, the Commission was cognisant of the fact that the subject of study is sensitive hence the need to have a few considerations in mind. Consent was sought from participants by encouraging them to sign into an informed consent form to assent to voluntary participation before commencing the data collection. Only willing participants were allowed to take part. Participants were also informed of the purpose of the research and assured of due confidentiality, as well as anonymity throughout the report to be achieved using pseudonyms as shall be seen in subsequent chapters. Moreover, the researchers embraced the 'Do No Harm' approach in peace building by safeguarding the physiological, emotional and social status of the participants.

### 1.5 Structure of the Report

This report is divided into four chapters. Chapter One sets the background and tone of the study by giving a brief overview of Kenya's electoral landscape and outlines the methodology adopted to arrive at the study findings. Chapter Two presents a brief literature review of the socio-political dynamics and electoral trends in Kenya by analysing the observations and opinions related to the study as presented by various scholars. Chapter Three explains the status of peace and cohesion in the context of the 2022 general election and documents the factors that contributed to a peaceful electoral process. Further, the chapter presents findings related to the effectiveness of various peace agencies and actors. Finally, Chapter Four demonstrates the emerging trends, lessons learnt and concerns, while also proffering recommendations to inform programming, as well as other peace sustaining interventions aimed at addressing the real needs of communities at both the national and county level.

### 1.6 Definition of Terms

*Democracy:* A government in which the supreme power is vested in the people. In some forms, democracy can be exercised directly by the people. In large societies, it is by the people through their elected agents.

*Cohesion:* People living together between and among ethnic communities, clans, peacefully without discrimination; the glue that sticks the society together.

*Electoral Violence:* A form of political violence that aims to influence the conduct of an election, usually to influence its outcome. It is about power – holding it, winning it or protesting how it has been won and involves any use of force with the intent to cause harm or the threat to use force to harm persons or property involved in the electoral process.

*Roadmap to a Violence-free 2022 Election:* Detailed steps and strategic actions to be undertaken in a bid to provide proper policy direction.

*Conflict:* A situation in which parties (individuals, groups, organisation or nations) possess incompatible goals or interests resulting in antagonism, aggression, rivalry, and misunderstanding.

*Social Cohesion:* A state of harmonious co-existence in a given society between individuals, groups and communities/institutions.

*Negative Peace:* Absence of direct violence (NCIC, 2014)

*Positive Peace:* Absence of predisposing factors to violence (NCIC, 2014)

*Election Bila Noma:* A Swahili slogan that translates to a violent-free election that branded the NCIC's Roadmap to a violence-free 2022 General Election.

# CHAPTER TWO

## SOCIO-POLITICAL DYNAMICS AND ELECTORAL TRENDS: A NEXUS

### 2.0 Introduction

This chapter presents a review of the literature on democracy in Africa through analysing the observations and opinions related to the peace and cohesion electoral context as presented by various scholars. Examining literature permits understanding and provides an insight into past work, trends and records concerning the study. The review will also help in demonstrating best practices in the African region and across the globe with regard to the socio-political context.

### 2.1 History of Democracy in Africa

The world has recorded significant growth in the number of elected governments, but many new democracies – most of them in Africa – have been labeled as ‘incomplete democratic institutions’ and ‘illiberal democracies’. The Economic Commission for Africa’s (ECA’s) notes that several African countries have recorded unimpressive results when measured against the democratic test, despite the introduction of constitutions, legislatures and electoral systems. In its words:

*Since the foundational elections of the 1980s, there have been numerous elections in Africa. However, many countries have not had quality elections. Overall, there has been notable progress on political governance in some countries, while improvements have been blunted or reversed in others. On balance, the progress on political governance has been marginal (ECA 2009:17)*

The central issue is whether democracy is feasible in Africa considering the region’s social and economic conditions. Fosu (2018) opines that the weak governance environment is characterised by underdeveloped institutions of democratic accountability, underdeveloped political parties, weak civil society, an over-concentration of power at the centre, non-separation of the branches of government, as well as lack of transparency and accountability. Buttressing this point, the ECA (2009) notes that ‘*the consolidation of democracy is still in its infancy in a majority of African counties*’.

Although Africa today celebrates a new era of multiparty elections, Resnick (2021) is of the view that this new brand of democracy has produced more problems than it has solved. For instance in South Africa, the success of multi-racial elections has not guaranteed the incorporation of all social groups. Zimbabwe experienced serious violence in 2008, instigated by grave electoral flaws and human rights abuses, leading to a power-sharing agreement (Adetula, 2011). In Mauritania, the military rule flourished when soldiers overthrew an elected government, with the soldiers declaring a power-sharing agreement with civilians. Niger witnessed a coup d’état following the elongation of a presidential tenure. Despite enduring a successful election in the 2003 and 2007 elections in Nigeria, democracy dividends are still very loud in many parts of the country. Kenya endured a disputed 2007 elections that saw the death of over 1,100 persons, property destroyed and thousands displaced. Resnick (2021) notes that the last two years have seen Africa’s democracy on trial. Nevertheless, several countries, including Mauritius, Botswana, and Ghana, can be said to be following the path of genuine democratic political development.

## 2.2 Peace and Conflict Dynamics in Electoral Contexts

Credibly managed elections generally legitimise authorities. This means that peace and conflict dynamics will mostly influence peace and security in the said countries and ultimately shape continental governance and security environment (Siegle & Cook, 2022). Fragilities associated with the electoral processes for African countries have been blamed on weak institutions. To correct this and restore democratic processes, there is need to strengthen independent institutions, particularly electoral bodies and the judiciary, as well as diversify participation and mitigate patronage (Resnick, 2021). This will be instrumental in promoting confidence in those institutions and thereby reducing chances of destabilisation of African countries – and elsewhere – through violent demonstrations, and conflicts that majorly emanate from protests over disputed election results.

Elections make a fundamental contribution to democratic governance tenets of a country. Elections enable voters to elect leaders and to hold them accountable for their performance in office. Where electoral processes are competitive, candidates or parties are forced to expose their records and future intentions to popular scrutiny, elections serve as forums for the discussion of public issues and opinion. In such cases, elections provide political education for citizens and ensure the responsiveness of democratic governments to the will of the people. The holding of elections alone does not speak to the quality of democracy in a country and, as has been demonstrated, can spark large-scale violence. Rather, elections should be part of a broader political framework that promotes good governance, the rule of law, and equal participation in politics (International Peace Institute, 2011).

## 2.3 Contextualisation of Peace and Cohesion in Kenya

The Centre for Sustainable Peace and Democratic Development (2022) defines social cohesion as a state of harmonious coexistence in a given society between individuals, groups and communities/institutions. Essential qualities of cohesive societies include high levels of trust, a shared common vision for a common future, and belief in responsive and legitimate governance institutions, which actively support inclusive economic development for the common good of the people.

UN Secretary General António Guterres has highlighted how social exclusion, polarisation, extreme inequalities, disputes over natural resources and shortcomings in governance undermine social cohesion, contributing to conditions that may lead to conflict. The 2018 World Bank-United Nations report, *Pathways for Peace*, reinforces the argument for more inclusive societies by asserting that:

*Exclusion from access to power, opportunity, services, and security creates fertile ground for mobilizing group grievances to violence, especially in areas with weak state capacity or legitimacy or in the context of human rights abuses. Strengthening social cohesion supports societal resilience through investment in inclusive and sustainable development (Centre for Sustainable Peace and Democratic Development, 2022).*

Kenya has had a long history of weak social cohesion, occasioned by inequalities from pre-colonial and post-colonial policies implemented through Sessional Paper Number 10 of 1965, which undermined the 'sense of belonging, and facing shared challenges and opportunities together. The policies entrenched feelings of exclusion and marginalisation, the epitome of it being 2007, through a contested election, that not only left many Kenyans dead, but disrupted livelihoods, and injured communal

relations. Social cohesion is therefore the glue that sticks the society together, as rightfully stated by the United Nations (UNDP, 2014). Sessional Paper No. 2 of 2012 on National Cohesion and Integration was the direct product of the National Accord's attention to 'long-standing issues' surrounding the 2007/08 post-election violence, which identified the need to 'consolidate national cohesion and unity'.

Langer & Stewart (2012) conceptualise social cohesion (good social relations) to be composed of three components (a triangle): The extent of equity (fairness); the level of trust among people; and people's propensity to prefer national to their group (or ethnic) identity. According to them, when people have a common identity, they tend to trust one another and remain fair to one another. The relations here are good in the sense that the critical outcome is peace, an instrument for economic prosperity. The NCIC 2014 Social Cohesion Index study extends its triangular conceptualisation to a 'hexagon' of six components, namely: peace, generalised trust, equity, cultural diversity, national identity, and prosperity. Social cohesion, according to this hexagon, is 'peace with equity, trust, cultural diversity, national identity and prosperity' (NCIC, 2014, pg. 20).

Therefore, social cohesion is a concept that incorporates relationships of a complex nature. Langer and Stewart (2012) observe that if relationships among individuals and groups are well managed, then a sense of belonging, acceptance and recognition is established. As a result, when differences arise, they can be dealt with peacefully. Social cohesion is thus an ingredient for the avoidance of violent conflict. Although social disruptions are a common societal phenomenon due to diversity among individuals and communities, they must be managed well and in a timely manner.

Although Kenya has made tremendous progress in its socio-political landscape, numerous Kenyans still suffer from an unequal distribution of natural resources, chronic poverty, high levels of crime, and violent extremism. Meanwhile, many cases of internal displacement constitute both a far-reaching consequence of the socio-economic grievances in the country and a politically instigated method which further perpetuates already existing conflict dynamics. Thus, in Kenya a major factor for conflict can be found in the disproportionate allocation of social, economic and political resources that confer advantages to one group at the expense of another. The subsequent increasing social inequality and the further marginalisation of disadvantaged groups, especially in urban informal settlements, constitute major drivers for grievance and violent escalations, mainly manifesting during electoral cycles (NCIC, 2022).

# CHAPTER THREE

## ELECTIONS 2022

### 3.0 Introduction

This chapter presents the study findings on the levels of peace, intra and inter-communal relations before, during and after the 2022 General Election. It further describes conflict dynamics across the regions and the effects of the Covid-19 pandemic on the elections, and outlines the various interventions implemented by government and non-state actors in the run-up to the 2022 General Election.

### 3.1 State of Peace and Cohesion

#### 3.1.1 What constitutes a peaceful election in Kenya

The study revealed that 44% of the participants stated that a peaceful election is one which constitutes being able to vote freely without fear, intimidation or violence, being able to resume normal day-to-day activities after polls, and the absence of violent conflicts. While 15% noted that resuming normal day-to-day activities immediately after elections was key, 31% attributed a peaceful election largely to the ability to vote freely without fear, intimidation and violence, and the rest of the participants at 9% stated that the absence of violent conflict was a critical factor.

The pie chart below illustrates Kenyans' perception of what constitutes a peaceful election.

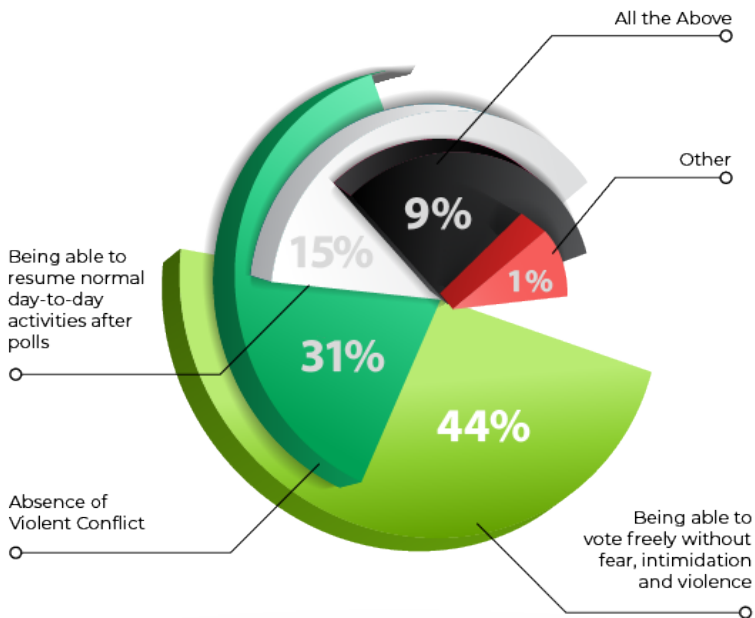


Figure 3: What constitutes a peaceful election?

Table 4: Responses on 'what constitutes a peaceful election?' by region

	<b>Being able to vote freely without fear, intimidation and violence</b>	<b>Being able to resume normal day-to-day activities after polls</b>	<b>Absence of conflict</b>	<b>All the above</b>
Coast	37%	19%	8%	36%
Central	31%	9%	3%	57%
Nyanza	33%	29%	10%	28%
Western	29%	11%	11%	49%
Eastern	40%	18%	13%	29%
Nairobi	24%	12%	4%	60%
North Eastern	37%	15%	18%	30%
Rift Valley	27%	11%	10%	52%

The peaceful outcome is attributed to enhanced engagements and co-ordination among stakeholders across multi-sectoral platforms. Kenyans were applauded for having higher levels of resilience with respect to the rule of law. 91% of Kenyans rated the 2022 general election as peaceful as seen in figure 4 below. A paltry 1% thought otherwise.

*“Kenya is becoming resilient and did not respond with violence despite the fertile ground for incitement - waiting for presidential results for 5 days. Indeed, it can be attested that our democracy has matured.” (CSO Representative, Narok County) Quote from a KII respondent.*

*“Contrary to the belief of many, elections can be peaceful in Kenya, this time the international media came ready for negative news, but they left disappointed. We are learning from our past, thus improving on our elections, there were no major fatalities this time. Kenya has reversed the history of electoral violence.” (FBO Representative, Kericho County) Quote from a KII respondent.*

The majority of participants attributed the state of peace to various factors, key among them being:

- Preparation and coordination by state and non-state peace and security stakeholders.
- The high cost of living arising from the impact of the Covid-19 pandemic.
- The increased awareness on election dispute resolution mechanisms, thus bolstering the resilience of the public on matters of electoral grievances.

Whereas Kenyans are being applauded on election outcomes being peaceful, a segment of citizens are still wounded, requiring psychosocial support. The majority of participants felt that the new government has an obligation to enhance peace and cohesion by embracing all Kenyans irrespective of their political affiliation through equitable distribution of state resources.



*“People are calm although they are hurting from inside. Even if we are hurting from inside, as peace actors we feel we have attained 98%. We know we did our part and are happy that there was no violence. But we are still hurting, and so are our people. We just restrained ourselves and we shall continue to do so.”*

*(CBO Representative, Kilifi County)*

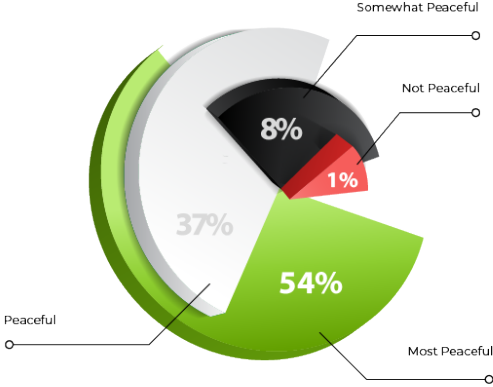


Figure 4: Levels of peace of the 2022 General Election

**3.1.2 Meaning of Cohesion**

When probed on the meaning of cohesion, 51% of the participants said that cohesion means people living together between and among ethnic communities and clans, peacefully without discrimination. This was further reinforced by information from key informants and focus group discussants who defined cohesion as peaceful relationships between people, families and ethnic communities on a day-to-day basis. Likewise, cohesion was also defined as the ability to respect each other’s languages, cultures and economic activities. Communities feel united because they are free to inter-marry, engage in trade and worship without any discrimination. The shared social amenities further contribute to this unity by being part of the glue that binds people. Common developmental visions by the local leadership and freedom to engage in politics without fear of intimidation boosts the unity amongst different ethnic groups. The urge to grow as a nation and achieve prosperity was also attributed to fostering national unity.

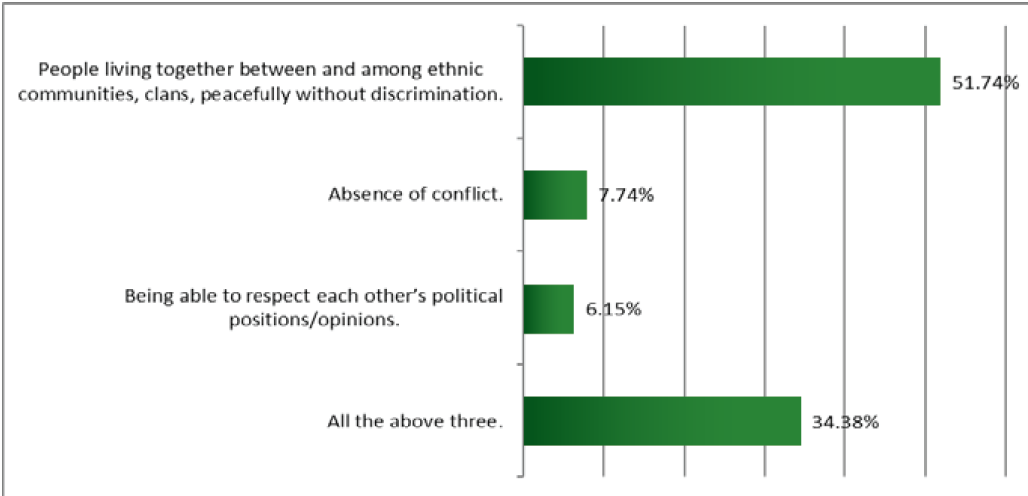


Figure 5: Participants' understanding of Cohesion

Meanwhile 34% believe that cohesion can be interpreted differently, by considering the ability to co-exist as different communities/clans, the absence of conflict, and being able to respect each other’s political positions/opinions.

This demonstrates that Kenyans understand the meaning of cohesion, which literature review provides as “the process of increasing harmonious co-existence in a given society between individuals, groups and the communities/institutions. Essential qualities of cohesive societies include high levels of trust, a shared common vision for a common future, and believe in responsive and legitimate governance institutions, which actively support inclusive economic development for the common good of its people” .

Aspects of this were portrayed in all discussions in the different regions assessed.

### 3.2 Levels of Peace before, during and after the 2022 General Election/Conflict Dynamics across the Regions and Counties

Participants felt that peace and conflict dynamics remained the same before, during and after the elections. 87% of people stated that there was peace for the entire duration of the election cycle.

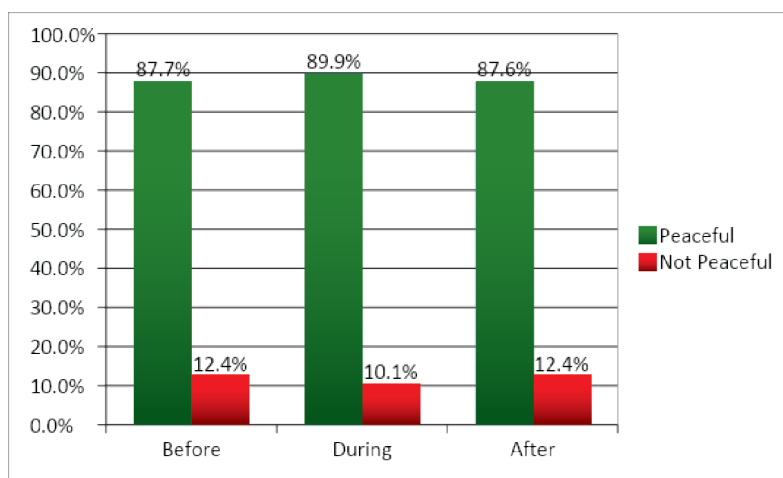


Figure 6: Levels of peace Before, During and After the August 9 Elections

The majority of key informants and focus group discussants indicated that the 2022 General Election was unequaled, as the state of normalcy and calmness was maintained before, during and after the election date, a reality not experienced in the previous elections of 2007, 2013 and 2017. Further, other key informants indicated that law enforcement agencies encouraged voters to cast their vote and await the election results from their homes. It was reported that people were also quick to return to their day-to-day routines.

On the other hand, some areas experienced incidents of conflict and/or violence on the eve of and during the Election Day. Incidents reported included voter bribery, political violence and voter intimidation. Key incidents that stood out were:

Table 5: Conflict/Violence Incidents

INCIDENT	ACTORS	AREA	HIGHLIGHTS OF INCIDENT
<b>DURING ELECTIONS</b>			
Voter bribery	Party Agents, Aspirants, Voters	Nyamira County	Some aspirants and their agents bribed voters along the voting queues in Maridi and Kenyambi area.
		Wajir County	Some voters waited to be paid in order for them to vote. This happened in Baraza Park polling station, Township Ward Wajir East sub-county. “We were told that some people could not vote until they were paid enough to be convinced”. (Youth, Wajir County)
		Murang’a County	In Gacharaigu Primary School, a polling station in Kangema sub-county, some participants cited voter bribery in the voting queues and issuance of ‘Mwakenyas’ which were papers listing the preferred candidates.
Politically instigated violence	Political Aspirants, Organised groups	Bungoma County	Supremacy battles between some political parties and political opponents resulted in wrangles that led to deaths of four people and several injuries in different areas including; Kimilili, Bukembe East, Misikhu ward, Sirisia, Webuye West, and Cheptais (Kimasya).
		Migori County	Political rivalry: A group of people attacked the convoy of one of the gubernatorial aspirants, Dalmas Otieno in West Sakwa ward in Anindo Police Station. The attack left his bodyguard injured.
Voter intimidation	Politicians, Aspirants, Youth	Bungoma County	In Mt. Elgon sub-county, the area MP assaulted a voter who was on the voting queue.
<b>POST-ELECTION</b>			
Political violence/incitement on social media	Aspirants, Supporters (mainly youth & boda boda operators)	Kirinyaga County	Invasion of the County Tallying Center (Mary Immaculate Catholic Church) and the Constituency Tallying Center for Kirinyaga Central sub-county (Kianyaga High School) on the tallying day. This was occasioned by allegations of rigging, alleged non-accreditation of some party agents and social media incitement (Twitter). Two injuries were reported.
		Wajir County	Participants revealed that one person was shot dead after a political scuffle in Rabalala area, Eldas An IEBC official was assaulted and suffered injuries that led to his hospitalisation and the amputation of his leg.

Destruction of Property	Supporters of political actors	Migori County	A number of shops were looted and burnt following the announcement of the Presidential election results. <i>"There was an incident where some youth invaded a building suspected to be owned by the former Governor and made away with property". (FBO Representative, Migori County)</i>
	Kalenjin and Luo community	Kericho County	There was an incident of burning of a hotel owned by a Kalenjin and a sugarcane farm that happened spontaneously post announcement of the Presidential results, along the Sondu border in Soin-Sigowet sub-county.
Political Intolerance	Politicians, Aspirants, Youth	Eldoret County	Perceived members of the Kikuyu ethnic community were turned away from the stadium where the Governor's inauguration was taking place. It was claimed that they had not voted for the Governor.
Stock Theft	Raiders, youth, butchery owners, politicians	Kisumu - Nandi Border  Kisumu - Kericho Border	The cattle theft between the ethnic communities has continued even after the elections. The two neighboring communities were in different political formations.  There were some tensions along the border area which were linked to voting patterns, and historical enmity between the ethnic communities.

### 3.3 Intra and Inter-Communal Relations in the 2022 Elections

As much as the general election was rated peaceful, the perception of levels of communal relations have been slightly impacted, both positively and negatively, across all cycles of the electioneering period. 85% of the participants rated the status of intra- and inter-communal relations as good, while 4% estimated community relations as poor. The remaining 11% participants were neutral in their assessment.

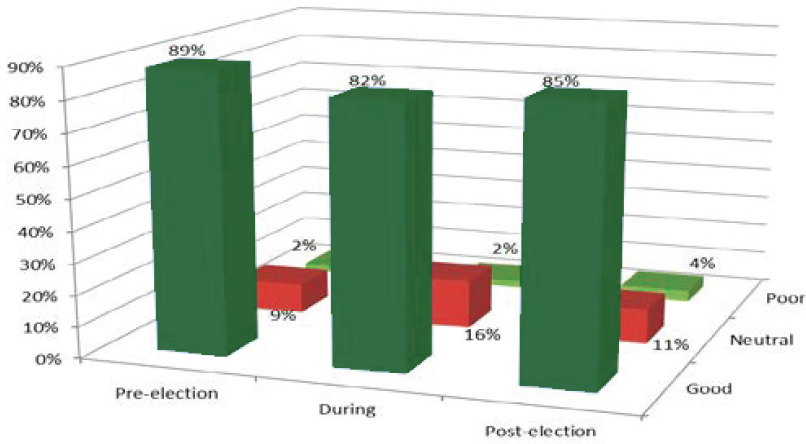


Figure 8: Status of Intra and Inter-Communal Relations

Participants further spoke to the fact that in some regions there was positive growth in community relations which solidified cohesion between and within different ethnic groups, while in others the level of cohesion deteriorated. Tables 6 and 7 provide an outline of the positive growth and negative setbacks in community relations as depicted by the various focus group discussants and key informants.

Table 6: Positive Community Relations per County and Attribution

Region	Positive community relations	Attribution
Western	Bungoma	Change in voting patterns where for the first time the Sabaot and Bukusu communities voted for a common candidate in both presidential and gubernatorial elections.
	Kakamega	The majority voted for candidates from the same political coalition.
Eastern	Isiolo	The level of cohesion was noted to have risen steadily due to various interventions by different agencies. Notably, the study revealed that residents of Isiolo accepted election results and were quick to encourage one another to move on despite there being winners and losers.
	Meru	<p>The state of intra and inter-communal relations among the different communities continues to improve steadily as observed in the just concluded elections.</p> <p><i>“Previously, the non-Meru communities used to return to their original home counties during electioneering periods. Specifically, the Luo community would hire a truck and relocate to their native counties until after the elections for fear of being attacked by the locals. This trend has however changed over time since the political discourse is more focused on the issues as opposed to ethnic differences and the said communities play a significant role in growing the economy of Meru.” (NGAO, Meru County)</i></p>
Coast	Mombasa Kilifi Kwale	In the Coastal region, the level of cohesion amongst the various ethnic groups remained constant. This was attributed to citizens being more informed and resisting manipulation to cause conflict and/or violence amongst themselves.
North Eastern	Wajir Mandera	In the North Eastern region, the participants revealed that the 2022 Election was different from previous elections due to the shift from council of elders ( <i>‘ugas’</i> ) and sultans as decision makers and where negotiated democracy took center-stage; to political party-based politics. The study participants revealed that this change for them had greatly enhanced the level of cohesion within the region.
Nairobi	Nairobi	<p>In Nairobi County the level of cohesion is varied. In some areas, cohesion levels seemed to have improved. Voter apathy linked to the high cost of living was mentioned to have contributed to improved communal relations as most people were united by shared economic issues. The communities seemed more determined to safeguard peace especially in some of the areas that had been identified as hotspots such as Kibra and Mathare.</p> <p><i>“..... there are some young men who attempted to cause violence immediately after the presidential election results were announced but the communities rallied and arrested them.... we do not want violence in Kibra. Let those people who were waiting for Kibra to burn leave us alone....” (Boda Boda Operator, Kibra, Nairobi County)</i></p>
Rift Valley	Kericho	The intra and inter-communal relations remained the same as before the elections because they were voting for the same candidates.
	Uasin Gishu Trans Nzoia Nakuru	In the North Rift Region, participants noted that the level of cohesion had improved owing to factors that included experience of the post-election violence of 2007 whose negative impact worked as a deterrent to violence. The advancement in relations was also attributed to the efforts of diverse organisations like religious institutions. There was increased political tolerance as aspirants from the diverse political factions were free to share their political agenda without intimidation, reprisals and attacks which has been the experience in the past.

The positive inter-communal relations could be attributed to the maturing Kenyan democracy, resulting from the constitutional reforms and the realisation of the interdependent nature of diverse ethnic communities. This is a positive trend, worth promoting even as Kenyans seek to consolidate their peace and cohesion gains over a decade, following the unfortunate events of the 2007/2008 PEV.

Table 7: Negative Community Relations per County and Attribution

Region	Negative community relations	Attribution
Western	Busia	<p>The majority and minority ethnic groups voted for different presidential candidates stirring up tension as the majority accused the minority of betrayal. Findings in Busia revealed that people were more reluctant to take part in social events/gatherings organised by people from the minority ethnic groups.</p> <p><i>“Before elections, people would willingly and gladly contribute to community social events such as funerals, weddings, baby showers, ... without questioning the ethnicity of the beneficiary. However, in the aftermath of the general elections, people have been leaving the various platforms to avoid contributions to certain people based on their ethnicity.” (CBO Representative, Busia County)</i></p>
Central	Nyeri	<p>The intra and inter-community relations are deemed to be dwindling owing to various factors such as issues related to social class; political affiliations that have resulted in perceived discrimination in access to social services; feelings of discontent in the election results; and clannism in Mathira, Mukurweini, Tetu and Nyeri Central sub-counties. Furthermore, competition over access to limited social services available in Nyeri County by members from other counties is also a source of tension and possible conflicts.</p>
	Kirinyaga	<p>Community relation fragilities between the residents from Ndia and Gichugu sub-counties are playing a huge role in creating divisions within the County. This is attributed to the supremacy battles between the Two constituencies where leaders are seen to largely come from one constituency thus creating a perception of dominance and control. The study participants also cited emotional abuse, anguish over incidents of mockery, open insults and isolation among the supporters of the current opposition as additional contributors to division.</p>
	Murang’a	<p>The intra communal relations within the Kikuyu community is seen to be deteriorating at a high rate. This assertion by the participants was evidenced by the rise in family feuds with weekly reports of killings, and student conflicts especially in Universities where there is ethnic and political diversity. Further, in Ithanga/Kakuzi sub-county, the area is reported to be marginalised as it is largely dominated by the Kamba community thus lowering inter communal relations between the majority and minority communities in the county.</p>
Nyanza	Kisumu	<p>The study findings reveal that the Nyanza region is united in their common disappointment and hurt from the failure of their preferred presidential candidate to clinch the seat. However, there is also deep division amongst the communities as a result of clannism.</p>

	Nyamira	In Nyamira County it was noted that there is a deep divide and political rivalry amongst the clans, majority being Abagirango and minority being Abagetutu. The major clan is said to be sidelining the other clan with regard to opportunities at the County.
	Migori	In Migori County, participants expressed concern over a looming dispute between locals and immigrants who include Luos from other Counties who have since settled in Migori, branded <i>Jodak</i> ( <i>Dholuo</i> for immigrants).  “... Like me I come from Kitutu Masaba. Now people from West Mugirango are chest-thumping, daring us, and telling us we will see how we will survive or do business.” <b>(Nyumba Kumi Representative, Migori County)</b>
Eastern	Machakos	The study revealed that the level of cohesion had slightly deteriorated citing the rising emotions with regard to political differences.  “There were no major violent incidents witnessed, however, the emotions were very high. Even at family level, I saw one of our family members being castigated and even removed from a WhatsApp group because she is pro-UDA. Emotionally people are very bitter and the government should look into this.” <b>(CSO Representative, Machakos County)</b>
Nairobi	Nairobi	In some areas of Nairobi County, the level of communal relations slightly deteriorated and this was majorly informed by voting patterns that seemed to have triggered feelings of betrayal amongst different ethnic groups.
Rift Valley	Bomet Narok	The level of cohesion in Bomet and Narok counties was noted to have deteriorated with the elections process, as a result of highly contested gubernatorial elections.  Tension escalated in the counties following the announcement of the gubernatorial results. This happened in both Bomet and Narok counties where supporters of the leading political parties for the gubernatorial seat took to the streets in protest i.e., by putting barricades on the roads.  For instance, in Bomet reports from the media indicated that the supporters of the Chama Cha Mashinani Gubernatorial aspirant took to the streets in protest against the results <sup>5</sup> .

### 3.3.1 Connectors and Dividers

The study established factors that either bring people together or contribute to divisions among people/communities. Among the factors which contribute to harmony among people and communities were business interests or the fact that they rely on one another to eke out a living; sharing resources/amenities, religion and ethnicity. This interdependence was also identified as a leading connector by key informants and focus group discussants.

Uniquely, local leadership by different actors in the County and National government levels stood out as a major connector among different groups and communities. This emerged as a strong rallying call in uniting people within certain levels of leadership, especially the county governments.

Tribe and language have also featured as a key unifying factor, which could imply that the majority of Kenyans are beginning to appreciate the importance of ethnic diversity. The table below gives a summary of the main connectors and dividers raised by the participants:



Table 8: Connectors and Dividers in the Kenyan Society

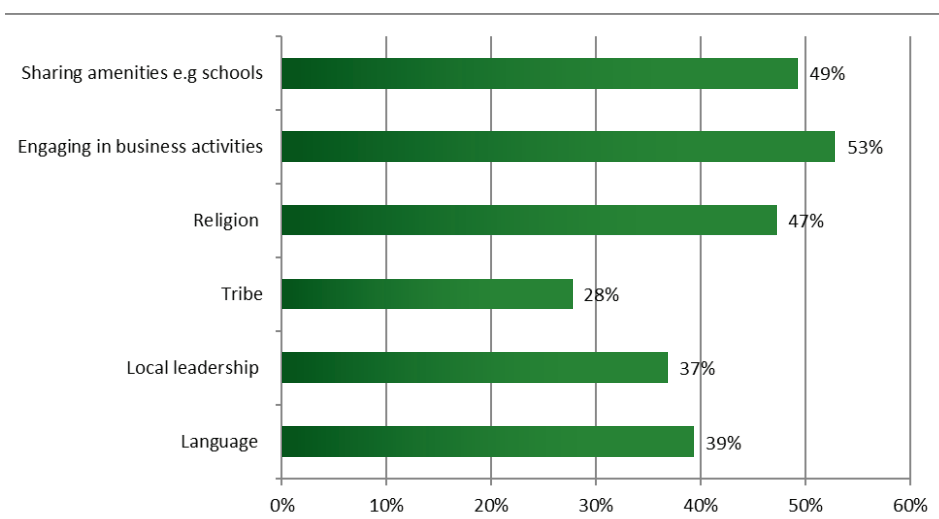
Connectors	Dividers
Economic activities - Business interdependence between people and communities of certain areas.	Politics - Discrimination and segregation on the basis of political party alignments.
Religion - Churches, mosques and other places of worship were identified to bring people together.	Divisive politics and manipulation by politicians.
Common or shared culture and traditions in different community set-ups.	Political differences, intolerance and zoning of some areas as party-strongholds.
Intermarriages - Bring diversity and tolerance to communities.	Bias, favouritism and nepotism in distribution of existing opportunities – such as employment in county government, national government.
Sports, Theatre & Entertainment	Social media (Facebook pages spreading threats & propaganda and hate speech targeting tribal groups.
Fear of conflicts - Lessons from past grievances related to the post-election violence.	Hate speech spewed through vernacular TV and FM stations. Statements and conversations depicting some communities as superior to others were identified to cause tensions between different communities.
Self-help groups that are ethnically diverse.	Poor leadership & governance linked to unequal distribution of resources.
Shared social amenities especially schools, churches and hospitals.	Intense competition over scarce natural resources like pasture, water and firewood was identified to cause disputes between and among communities.
Inter-county political alignments – this encourages relations beyond regions.	Tribalism - which becomes more pronounced during elections.

In some of the counties, the county political leadership and the national government leadership were lauded for rallying the people around peace immediately after the general elections. A resident reinforced this by stating: -

*“Our governor has been in the forefront advocating for peace, in fact, he came out very strongly in encouraging people to wait for the court processes and also wait to hear from the Azimio leader. He kept saying that any violence will discourage investors in the county and that will deny youth jobs and other opportunities. This helped a lot in promoting peace in the county.” (Youth Representative, Kisumu County)*

Government agencies, through the implementation of peacebuilding activities, played a vital role in promoting cohesion among different ethnic groups and people of different social backgrounds. It was reported that they, amongst other initiatives, created and supported early warning and early response mechanisms including establishing emergency hotline numbers to facilitate real time response. They also established County Development Stakeholders Forums as platforms to foster development and peace.

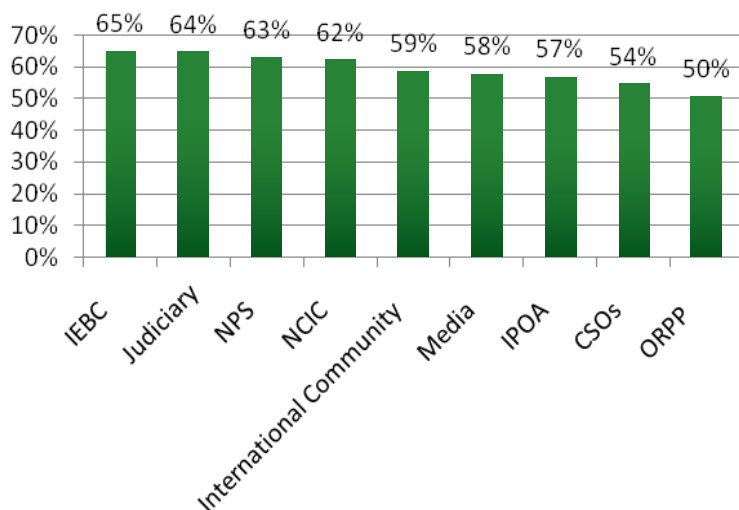
Figure 9: Unifiers in the Kenyan Society



### 3.4 Performance of Various Actors in the 2022 General Election

The study looked at the performance of key actors in the 2022 General Elections. Specifically, it reviewed how effectively they conducted their roles as observed by the citizens. The study findings indicate a satisfaction levels of between 50% and 65%, which is generally a good performance. This can also infer that the citizen's trust levels increased significantly in comparison to the NCIC's Conflict Hotspot Mapping report of May 2022, where they expressed doubt as to whether these institutions would deliver, free, fair, credible and peaceful elections. Below is the graph presenting the levels of satisfaction.

Figure 10: Levels of Satisfaction with Various Agencies during the Electioneering Period



#### 3.4.1 Independent Electoral and Boundaries Commission (IEBC)

65% of Kenyans were satisfied with the conduct of the Independent Electoral and Boundaries Commission (IEBC) as compared to previous years. This was largely attributed to improved communication, organisation, coordination and transparency, granted through access to the IEBC results portal. The study participants opined

that to a great extent they were open and responsive in addressing operational and technological issues that were regularly raised by different stakeholders. This performance confirms that electoral reforms from 2013, 2017 petitions to a great extent improved the legal framework for conducting elections, thus improving the effectiveness of IEBC.

*‘I have witnessed all elections in Kenya since independence. For the first time, IEBC was perfect. The voting process was smooth, fast and perfect. I think they did well.’ (Council of elder, Mandera County)*

Even though the majority of Kenyans were satisfied with the conduct of IEBC, a greater number, 35%, were dissatisfied. They raised key challenges that arose before and during elections which IEBC did not adequately address. For example, the inability to conduct voter education resulted in the 8M Kenyans who never voted; the many spoiled votes; the mess witnessed across different tallying centres, starting with Bomas cascading to the counties e.g Narok, Embakasi, Mombasa; cancellation of voting in some areas such as Mombasa, Turkana, Kakamega, Kitui, Nakuru etc.; massive failure of KIEM kits; inability to display the presidential result tallying process at Bomas; disunity within IEBC executive & management; delay in announcing presidential results. The list is endless.

*‘At national level, they did not do well. However, some think that they completely lost our trust. They dilly-dallied a lot in transmitting the results and the body language spoke volumes. I give them a zero out of 10 because their house was even divided, and you all saw it on your screens. I was a presiding officer, there was not enough civic education.’ (CBO representative, Nyamira).*

### **3.4.2 National Police Service (NPS)**

The general opinion among the populace was that the National Police Service (NPS) did a tremendous job in ensuring a safe environment before, during and after the general elections. 63% of Kenyans expressed the view that the NPS was highly professional, well-coordinated and effective in responding to alerts raised. They were specifically lauded for their non-combative approach in areas that have in the past experienced police brutality. This can be attributed to immense support accorded to them by different actors through capacity enhancement initiatives, Early Warning and Early Response Mechanisms, drills, coordination units – Command centres, which were cascaded from the national to county levels, their ability to reign in on illegal gangs and organised groups, and finally their ability to respond to issues in time.

*‘The police played their role well. If you want to gauge their performance, just look at the boda bodas. We were very quiet and orderly, an indication that the police were okay. In the past, they have tear gassed people for no reason, which has been triggering violence among our members.’ (Boda boda Chair, Nairobi)*

*“The Gubernatorial elections were highly contested between the two political aspirants i.e. UDA and Chama Cha Mashinani. Violence sparked in Bomet town, when the UDA aspirant was declared the winner. The followers of CCM leader, wanted a recount, following the small margin win of 20,000. The security officer thwarted the attempts of rouge youth to spreading the violence to other parts of Bomet.” (NGAO Official in Bomet),*

*“We did not see heavy deployment of security forces, and I think this created a conducive environment for voters and communities to remain calm.” (Youth, Kisumu County)*

Despite a majority of Kenyans lauding the conduct of the police, a section of the citizenry felt they exhibited a degree of partisanship in the period before the election as they were aligned to supporting the government – as explained by one of the FGD participants:

*“Police were unfair to people. When we were at Sironga, we went there and saw some vehicles being allowed in and others not. At the county polling center, there were goons and I saw with my own eyes, police bringing water to the goons.” (Opinion leader, Nyamira County).*

### **3.4.3 Office of the Registrar of Political Parties**

The study established that 50% of Kenyans were happy with ORPP's performance, mainly because they did not block anyone from registering a political party and demonstrated an adequate level of coordination and efficiency. Moreover, Kenyans lauded their ability to bring order into the conduct of politicians. Party hopping was managed, as politicians were compelled to determine Parties and Coalitions in good time, which they were to adhere to. Further, pre-election coalition agreements were enforced and could not be changed until after three months post-elections. This improved the conduct of politicians, but also the insurgence of independent candidates. Its close collaboration with other election management bodies such as IEBC, NCIC and CSOs was lauded.

*“When politician allow the rule of law, conduct themselves maturely, guard their emotions, then the public have no reason to resort to chaos and violence- this was the distinguishing factor in the 2022 elections.” (NGAO Official, Bomet Bomet County)”*

*“If the politicians are not complaining at all, then it means ORPP did their job very well.” (Youth, Kisumu County)*

However, a section Kenyans raised concern with double registration of members in political parties; failure to enforce diversity and inclusivity while registering members of political parties; minimal engagement and public participation platforms, especially for special groups and lack of grass root presence, which ORPP should look into moving forward.

### **3.4.4 Judiciary**

64% of Kenyans expressed their satisfaction with the conduct of the Judiciary, and specifically on the Supreme Court's ruling on the Presidential Election Petition of 2022. Study participants during key informant interview asserted that the Judiciary had affirmed its independence once again, after the historic Maraga ruling which annulled the 2017 Presidential results. The Judiciary exhibited independence and rendered a ruling based on the evidence presented before it.

*“I am proud of our judiciary, it has reclaimed its independence and credibility. Kenya has become a best practice for other nations to learn from. Even united nations, and other African Nations will start referring electoral disputes to Kenya.” (CSO leader in Bungoma - FGD)*

However, 36% of Kenyans were strongly dissatisfied with the conduct of the Supreme Court for various reasons. Some disapproved of the language and tone used in delivering the ruling, terming it both demeaning and insensitive. Others ranted that the Supreme Court was compromised because of the unanimous decision it took to overrule all the nine prayers before it.

*“The President said he will hand over power but he still considers the Rt. Hon. Raila Odinga as his leader, so we just support that. However, the choice of language by the Supreme Court judges was simply uncalled for. This will not only injure the cohesion that we have but will also take long to heal. We are pretending to be okay, we are not okay, we are dying inside. Kenyans are dying inside. We shall not even watch the inauguration.” (Youth, Nairobi)*

*‘The Luos believed that any case Orengo handles has to go through. Then of all nine petitions, you say that none met the threshold? Then you go ahead and use terms such as ‘goose chase’ and ‘hot air’? Up to now people have not moved on here. You cannot have a conversation with someone for 10 minutes without them mentioning the Supreme Court. It really hurt us a lot.’ (Elder, Migori County)*

### **3.4.5 Independent Policing Oversight Authority (IPOA)**

Some participants demonstrated that little is known about the Independent Policing Oversight Authority (IPOA) across the various regions. However, the few who understand its mandate averred that they had almost no role to play in the just-concluded election, since there were no many police brutalities as has been the case in the past. The study also revealed 57% of Kenyans attributed the conduct of the police during the just-concluded elections to IPOA, hence they were satisfied with the institution's conduct.

*‘IPOA would only come in when we have misconduct with the police so we can't define whether they performed. We have not heard complaints of police overstepping their mandate this time round.’ (Boda boda Chair, Nairobi)*

### **3.4.6 International Observers & Diplomatic Corps**

Study participants acknowledged the role of international observers in ensuring credibility and transparency during the election. Some acknowledged their presence at the national and county level, mainly at the polling stations. However, participants raised concerns that the observers termed the elections credible and transparent even before the court process was concluded.

With regard to the diplomatic corps, a section of participants were of the notion that they wrongly profiled certain regions as violent, which affects inter-communal relations, trade and investment opportunities for the region.

*‘These also hurt Kenyans. Based on their press release, like the one done in Kisumu, they constantly said this area is a hotspot. They negatively profiled the Luo community. If you are a thief and you change your ways, why should someone continue calling you a thief? They have a fixed mind on the Luos, which didn't augur well with us. I was in Suna East tallying centre, but when they came, they didn't even talk to anybody. They just came, looked at things and left. It's hard to know what they were looking for. So where did they get the audacity to brand us that way.’ (Journalist, local media)*

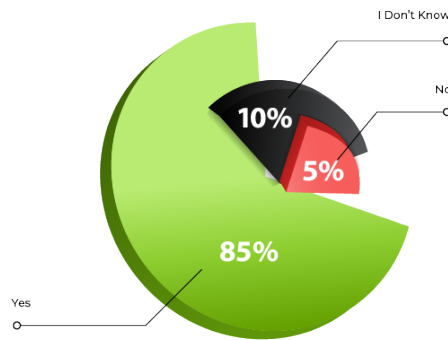
### 3.5 Role of Actors in Peace Building

It was noted that state and non-state actors continue to play an indispensable role towards the realisation of violence-free elections. Indeed, 85% of Kenyans credited the calm and peace experienced during this election to peace building efforts by both state and non-state actors.

Key actors mentioned included: Government, Civil Society Organisations (CSOs), Faith Based Organisations (FBOs), Persons Living with Disabilities (PWD's) Organisations, Women and Youth groups), Media fraternity (Vernacular and Community Radio Stations) and Private Sector.

Figure 11: Responses on whether Kenyans credit the peaceful elections to peace building efforts

**Would You Credit the Conduct if Peaceful Elections to Peace Building Efforts?**



#### 3.5.1 National Government Actors

Findings from the study confirmed that coordination, early planning, engagement and participation by different actors, including politicians, contributed to the peace experienced during the election. County Commissioners across the country chaired election task teams that coordinated security and peace meetings (peace committees, community policing and nyumba kumi), observance of law and order, as well as coordinating officials. In addition, the government activated the National Joint Operation Command Centre to reinforce the Early Warning and Early Response Mechanism (EWER).

Close collaboration, sharing joint platforms, activation of early warning and response command centers, which were set up at the county levels, constituted a revolutionary strategy. Coordination of political activities occurred in liaison with the relevant government officers and security agencies. The national government, in liaison with IEBC and ORPP, developed clear terms of engagement for conducting campaigns, which are normally considered the most chaotic. This heavily contributed to peaceful political campaigns.

*“Levels of cohesion have changed and Kenya has matured when it comes to matters of election. Information by stakeholders such as NCIC sensitisation has played a big role.”  
(Blogger, Nairobi County)*

*“This time round, we had very supportive stakeholders from all divisions. During the campaign season, we organised peace walks, interdenominational prayer caravans in conjunction with other key stakeholders, and responded promptly to calls.”*  
(Government Officials, Isiolo County)

### **3.5.2 Transport Sector**

The transport sector, including representatives of the matatu and boda boda industry, played an equally crucial role in ensuring a peaceful election, as reported by participants. Some of the transport stakeholders were lauded for their efforts in promoting peace during the electioneering period.

*“There is this guy who collaborated with the transport sector by inviting 5 people from each Matatu Sacco and sensitised them on matters peace.”* (Matatu Sacco Manager, Murang’a County)

*“As a boda boda sector, we sat together and asked ourselves, what good is it if we decide to fight amongst ourselves yet these politicians don’t even know us?”* (Chairman, Boda boda Meru).

### **3.5.3 Civil Society Organisations (CSOs)**

The study revealed that 54% of participants believe that CSOs contributed significantly to ensuring elections were peaceful. According to study participants, their greatest contribution was in civic and voter education, mostly through strategic partnerships with government stakeholders, media and faith-based institutions/leaders. They organised sensitisation and community dialogue forums targeting various communities at the grass roots level and supported training activities on peace, elections and governance. They also supported the EWER system and coordinated election monitoring and observation. The study notes that despite having roadblocks such as limited/poor funding and facilitation, they maximised locally available resources.

On the flipside, a section of participants felt that the CSOs have gone passive through the years. These sentiments were attributed to a general view that they are not as vibrant as they were in previous years, partly due to lack of funds. The level of effectiveness of the strategies implemented by CSOs was further assessed as low owing to political affiliations/alignments, their dismal performance, and their working in silos. This was voiced in specific areas of the country:

*“We don’t think we have any here. We didn’t see any during the elections. We have just been dealing with our problems the best way we know how.”* (Nyumba Kumi Rep, Nyamira County)

*“Hatujawafeel kwa ground. Sisi tulieneza amani kwa chama zetu za kina wamama. (We hardly felt them on the ground. We ended up spreading the message of peace through our women groups.)”* (Representative of women, Meru County)

*“The prolonged drought in the area posed a threat to peace and cohesion along the borders. As a result of the EWER report from the CSOs, the Government reinforced security along the border to tame cattle and goat theft.”* (Chief, Isiolo County)

### 3.5.4 Faith-Based Organisations (FBOs)/Religious Groups

Participants across the country affirmed the great role played by FBOs in the August 2022 elections. Churches, Mosques, Temples, and Synagogues used their platforms to pass messages of peace, taking part in dialogue and mediation, reaching out to political leaders who were out of order, uttering hateful and inciting messages. They organised inter-denominational prayers, peace walks and caravans. Mosques were used to sensitise Kenyans on the need to maintain peace.

*“Prayers dominated this electioneering period. We saw religious leaders bringing together politicians from all the political divides, urging them to preach peace and unity in all their processes. (CBO Representative, Mathare)*

*“In fact, through the National Cohesion and Integration Commission (NCIC), we saw religious leaders from different denominations gather for an interreligious symposium, just to underscore the importance of such institutions in the electioneering period.” (Supkem Chair, Isiolo).*

*“Religious leaders aligned themselves along political affiliations that in many cases caused confusion among the congregants. The prophecies on the Presidency were in tandem with their preferred candidates. (Religious leader, Migori County)*

### 3.5.5 Women

The study established that women played a key role in ensuring elections were conducted peacefully across the different study counties. Their main contribution to peace was using self-help groups as avenues of promoting cohesion among different groups within the society. Different statements from key informants and focus group discussants reinforced this.

*“As women we sat in our forums such as chamas and decided that we are not going to fight or hate each other because of the loss of our candidates. After elections we are telling each other to accept the results and move on.” (Women leader, Nyamira)*

### 3.5.6 Youth

Participants stated that the youth were dealing with various challenges, including hard economic times coupled with the adverse effects of COVID-19, hence they were direct beneficiaries of “dirty” politics, where they demanded handouts in order to actively participate in the political campaigns. Likewise, in equal measure they also advanced peace messaging by participating in peaceful campaigns organised by different stakeholders.

*“As a young person, I was privileged to interact with several youths in this county because I was doing kazi mtaani job. We took it upon ourselves to sensitise our counterparts and we went round preaching peace. Never again will we go to the streets because of politics.” (Youth, Kazi Mtaani, Migori)*

### 3.5.7 Media

#### 3.5.7.1 Mainstream media

The study observed that the media provided citizens with platforms through which to engage in political debates, and so increase voter awareness. They partnered with



stakeholders in conducting peace caravans, voter education and peace concerts across different counties. Of significance is the role they played through vernacular and community radio stations to educate the citizens on the voting process and maintaining peace, and through participating in political debates and dialogues.

While the media was lauded for its superb role in educating the citizenry, some Kenyans faulted them for their partisan reporting and in a few instances not observing conflict-sensitive reporting. Worse still, some media houses publicly aligned to specific political affiliations. Some vernacular radio stations aired conflicting parallel tallying that caused division, confusion and anxiety among the citizenry.

*'Some national media houses were so biased. I think it is because it belongs to somebody who was supporting a candidate. Some candidates were given so much airtime to the disadvantage of others. (Former MCA aspirant, Narok)*

### **3.5.7.2 Social media**

While social media demonstrated an effective way of reaching the young people with peace messages, the study observed that misinformation, disinformation, and propaganda was rife on social media sites such as Facebook and Twitter. Similarly, WhatsApp groups were noted to be infiltrated with messages of hate and propaganda as voiced by one of the interviewees:

*'Social media remains one space where hate, profiling and division resides. It is like we are digressing by the day as a society because of social media. On the roasted maize in Londiani, there was a hashtag that the Luo should not buy when traveling to upcountry via that route because it belongs to Kalenjins. People were asking kwani wakikuyu na wakale bado wanauza mahindi na wako kwa serikali? (Kikuyus and Kalenjins are still roasting maize while we thought they were in government). Recently, I passed by there and for some reason I could not buy that maize. This sector needs to be regulated.' (Youth, Kisumu County)*

In terms of fake news and propaganda, there were ripple effects as demonstrated by one participant below:

*'The Azimio people were preparing the stage at some point at the KICC in preparation for the Azimio Presidency. It is my old mum who actually sent me that clip even before I saw it on other platforms, and this really hurt her when the Presidential candidate did not become President. She was so sure and had even prepared a party. She has never recovered to date. Sometimes I don't even know what to tell her.' (Journalist, local media Migori County)*

### **3.5.7.3 International Media**

Study participants criticised the international media for their opinion on the high probability of electoral violence in Kenya. Notably, some of these international media houses pitched tent in areas with a history of political violence, expecting to report on post-election violence... which turned out not to be the case this time round.

*'We saw wazungus here, and from how they looked, it's like they were hoping to get some juicy violent clips. Why were they just hanging around the flyover? Why not anywhere else? They left here very disappointed.' (Opinion leader, Kisumu)*

### 3.6 NCIC's Strategy towards a Peaceful Election

The study found that 85% of participants were aware of the Elections Bila Noma campaign. However, 15% were not aware of the campaign, mainly because NCIC did not have a grassroots presence in the said regions as highlighted in the figure below:

*'Msiendelee kukaa Nairobi tu, zungukeni mueleze watu kazi yenu. Mfanye a post-election caravan not just in hotspot counties but also here (Do not just focus on Nairobi and other counties that are termed hotspots, instead, take your campaigns everywhere.'* (Government Official, Murang'a County).

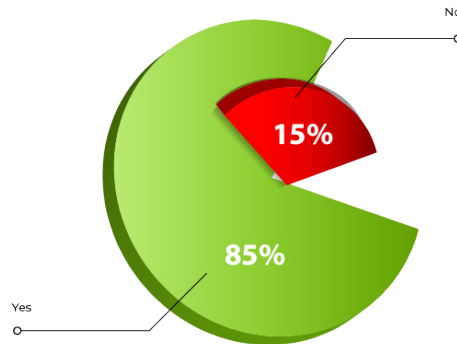


Figure 12: Awareness of NCICs Roadmap to a Peaceful Election 'Elections Bila Noma'

*"NCIC was for the first time felt at the grassroots level. We also noted that the Commission undertook community engagements in the informal settlements. Hence, the Elections Bila Noma slogan was easily memorable and applicable to the residents and especially the youth. The signing of the Political Decency and Peace Charter was also commendable. The political class and members of the public alike embraced this."* (Peace Committee member, Kisumu)

*"Kama mavijana tulifeel sana hiyo slogan ya elections bila noma tukaieneza sana pale mtandaoni, tulitumia hiyo kama hashtag #ku spread peace"- As young people we really resonated with the elections bila noma slogan.* (Youth leader, Mathare Nairobi)

Participants mentioned initiatives that stood out during the Elections Bila Noma campaign to include: peace sensitisation forums (roadshows, peace caravan, town halls, concerts) and Media campaigns.

*"The Roadshow Caravans that NCIC did some few weeks before elections created an atmosphere for peace, just as it was intended to."* (CSO Leader, Mombasa County)

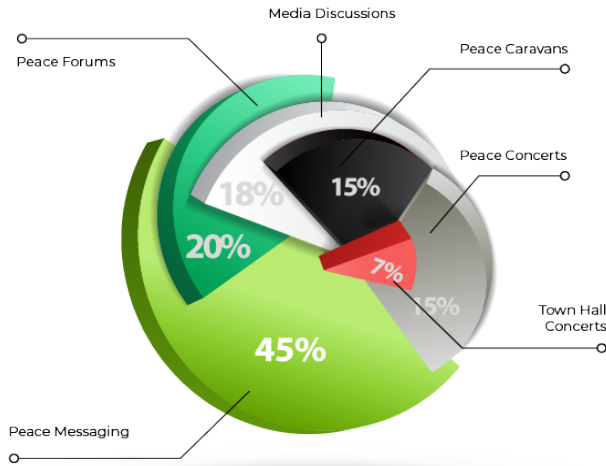


Figure 13: What stood out during the Election Bila Noma Campaign?

### 3.7 Proud to Be a Kenyan?

When asked whether they were proud to be Kenyans, 93% of the participants affirmed that they were indeed proud, while 7% indicated the contrary. Participants further mentioned that the maturing Kenyan democracy, increase of trust in government institutions and the peaceful 2022 General Elections were the major reasons they were proud to be Kenyans. The 7% who were not proud to be Kenyans mainly attributed their displeasure to the high cost of living, as well as the perceived dominance of major ethnic groups in presidential power.

#### Are you Proud to be Kenyan?

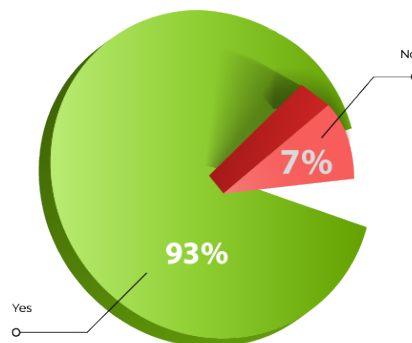


Figure 14: Are you proud to be a Kenyan?

Study participants were asked an open-ended question on why they are proud/not proud to be Kenyans. As Table 11 below shows, participants who are proud to be Kenyans highlighted the peaceful 2022 electioneering period as a major reason, as well as the maturing Kenyan democracy. Those who are not proud to be Kenyans indicated the high cost of living, the perceived dominance of major ethnic groups in political power, as well as the history of post-election violence.

### 3.8 Summary of factors that contributed to the peaceful elections

The 2022 General Election was considered to be the most peaceful election the country has ever conducted since independence. This was attributed to a number of factors, as highlighted above:

1. The study found that politicians were accommodative to the results of the general elections, especially the Azimio coalition who contested the presidential results through the constitutional channels. Azimio Party Leader Raila Odinga's silence after the IEBC declared the presidential results and after the Supreme Court's declaration on the presidential petition, helped calm down his supporters who were hurting.
2. Consequently, Kenyans have progressed politically and this might well be attributed to the experiences from the previous elections which had been faced by violence. Kenyans had understood that elections are just a democratic process which is periodic and should not alter the peace they enjoy during this period.
3. The high cost of living impacted by Covid-19 effects and the global crisis of Ukraine and Russia affected the electorates and they had an urgent need to finalise the elections and move forward to build back the nation to economic prosperity.
4. The main mandate of NCIC is to promote peaceful and harmonious coexistence of Kenyan communities. NCIC launched a Roadmap in December 2020 dubbed '*Elections Bila Noma*'. This was timely and early implementation of the strategies laid in the roadmap helped in elections preparedness for the electorates and the various institutions mandated to conduct elections. The Commission conducted a survey, the conflict hotspot mapping survey, that identified potential hotspots within the country. This report informed the security agents as well as the various peace actors to mitigate the probability of the country experiencing post-election violence.
5. Various non-state peace actors (CSOs, FBOs, PWDs, Private Sector) and electoral management bodies (IEBC, Judiciary, NPS, MoICNG, ODPP, ORPP) collectively helped in achieving a violence free election. The electoral management bodies established a multi-sectorial system that helped to address most of the anticipated challenges of the elections. The IEBC made it easy for the voters to vote freely and peacefully by employing technology that increased voter confidence. The non-state actors' greatest contribution was in civic and voter education, mostly through strategic partnerships with government stakeholders, media and faith-based institutions/leaders. They organised sensitisation, community dialogue forums and peace prayers targeting various communities at the grass roots level and supported training activities on peace, elections and governance. They also supported the EWER system and coordinated election monitoring and observation.



Figure 15: A word cloud of responses from Kenyans

# CHAPTER FOUR

## CONCLUSION AND RECOMMENDATIONS

### 4.0 Introduction

This chapter presents emerging trends observed during the 2022 electioneering period, the lessons learnt from the process, conclusions, the main concerns that came to light, as well as offering recommendations to both state and non-state actors in view of the aforementioned concerns.

### 4.1 Emerging Trends and its Impact on the Elections

The 2022 general election portrayed a shift in voting trends, gender dynamics, the place of religion in politics, as well as the effect of the COVID-19 pandemic and the high cost of living as discussed below:

#### 4.1.1 Shifting Gender Dynamics

Study participants noted that the level of women's political participation had increased this past election compared to other elections. This was demonstrated by the high number of women vying for political seats and the number of women engaging in political campaigns and rallies. In spite of the strides made, the study reports a rising number of cases of sexual and gender based violence against women who took part in political campaigns, or took a different political stand from that of their spouses. A number of women who expressed interest in vying for political positions also reported cases of online harassment and sexual intimidation. There were cases whereby female candidates were profiled and labeled forcing some to even drop out of political races.

#### 4.1.2 The Effect of COVID-19 Pandemic on the Electioneering Process

With regard to COVID-19, 46% of participants believed the pandemic affected the electioneering period while 22% of participants responded that the pandemic did not have any effect on the elections. The FGD and KII participants closely linked the pandemic to high cost of living. Further, some participants linked the pandemic to low voter turn-out, with some voters opting not to vote, having been hard hit by life circumstances, hence it did not matter to them whether they voted or not voted.

#### 4.1.3 Effective EWER System

Multi-agency and multi-sectoral approaches adopted by most of the counties during the past election led to reduced incidences of violence as a result of effective coordination and timely response to emerging threats to peace. Specifically, participants revealed that EWER structures were in place at both national and local levels, and were coordinated by various state and non-state actors as voiced by some of the participants:

*“We dealt with issues as soon as we received them and shared them with relevant offices and officers to act in real-time. I can say the EWER mechanism in this county worked very well and no one slept on their job.” (Government Official)*

*“Police were very helpful this time round. They took part in community-level meetings in which they shared their telephone contact and made it easy to share real-time information for early response. Through this, so many issues that otherwise would have caused problems for us were addressed.” (FBO Leader, Migori County)*

#### 4.1.4 Role of Religion in Influencing Voting Patterns

The study registers that Faith Based Organisation (FBOs) left a mark on the Kenyan public sphere with regard to the just-concluded elections. Participants across the country affirmed the great role played by FBOs in the August 2022 elections. Basically, they used all their platforms to pass messages of peace. They also took part in dialogue and mediation, reaching out to those political leaders out of order- spewing hate speech and insightful messages. They organised interdenominational prayers, peace-walks and peace caravans. The said institutions through the Interreligious Council of Kenya (IRCK), as well as Christian and Muslims congregants held joint prayers before the elections. Notably, was the use of religion as a campaign tool to appeal to voters mainly by members of the political class.

*“Prayers dominated this electioneering period. We saw religious leaders bringing together politicians from across the political divides, urging them to preach peace and unity in all their processes. In fact, through the National Cohesion and Integration Commission (NCIC), we saw religious leaders from different denominations gather for an interreligious symposium held in October 2022, just to underscore the importance of such institutions in the electioneering period.” (Supkem Leader, Isiolo County)*

#### 4.1.5 Voter Apathy and Disillusionment

The past election recorded the lowest voter turnout in Kenya. According to the participants, factors such as disillusionment, hard economic times, lack of civic education and confidence as a result of the support given to their preferred candidate by the state.

#### 4.1.6 Voter Bribery and Handouts Culture

In the 2022 General elections, this study observed voter bribery as a key concern practiced by both candidates and political party agents. It was done in the form of dishing money, handouts and campaigns items before and during elections, in a way to persuade voters to vote particular directions. This was propelled by Kenyan's hard economic situation accessioned by the effects of Covid-19 pandemic. The youth, women and citizens all were involved in the act, without fear or shame. They called different name -

*“Yuko Jamna” meaning harvesting grapes in Luo Nyanza, ‘gushina jeshi’ in Central Kenya.*

#### 4.1.7 Absence of Conflict but Presence of Negative Peace

A section of Kenyans expressed shock, anger and disappointment with the presidential election's outcome. Although they respected the presidential results, they continue to hurt silently, with some resolving not to participate in future Presidential elections. Findings point to the fact that Raila Odinga's supporters not only had hope in him, but were certain he would clinch the presidency as voiced by various participants:

*“Some of us were not happy with the supreme court's verdict. We believe the judges were bribed. Deep down we are hurting but we decided not to fight because we remembered what happened in 2007 and said to ourselves we will not get ourselves back there. We have decided that from now we are not going to vote again, it's a waste of our time when the winner has already been decided huko juu (in higher offices).” (Youth Leader, Kisumu County)*

*“After the Supreme Court verdict we kept asking ourselves, should we go to the streets or not? Then we decided to keep calm. But, people should stop sugar-coating that we are peaceful. We are not! Peace is not really the absence of conflict. We are hurting very deeply. I know of many people who did not vote because they are tired of their votes not counting. Even in 2027, personally I shall not vote.” (Boda boda Operator, Migori County)*

*“As it is now we are enjoying negative peace. We are just waiting for a small provocation. We are hurting inside and we feel betrayed!” (Youth, Kibera, Nairobi County)*

*“Now in 2022 people here are very bitter, I included. We are boiling from inside. Although we did not express it by going to the streets because we have been told to move on, people look like they are waiting for a trigger. They are still angry and there is a need for healing.” (Youth, Kariobangi, Nairobi County).*

While disillusioned Kenyans did not resort to physical violence in the just-concluded elections, social media has become an avenue of expressing anger and spewing ethnic hatred as expressed by the voices below:

*“I want to say today; Kenya is not peaceful. If you are on social media, you will know Kenya is not peaceful. Being that Raila has lost, the entire Luo community is being targeted.” (Opinion Leader, Migori County).*

*“In social media, it’s one community, the Luo being targeted. The biggest question the government should answer is why they are stigmatizing a community. It will come to a point where we will register in our minds that only two communities deserve the presidency in this country.” (Opinion Leader, Kisumu County)*

*“Why is every leader and even the media focusing on the Luo? They are branding us as ‘warusha mawe’. We need our dignity back! I was in Mumias when the Supreme Court gave their verdict and I saw them go to the streets. Why is everyone branding the Luo!” (Youth, Mathare, Nairobi County)*

#### **4.1.8 Shift in Voting Patterns**

The just concluded elections were different from all previous elections because of the shift from the council of elders’ ‘ugas’ and sultans as decision makers – as had been the case during the 2013 elections where negotiated democracy took center-stage – to political party based/interest-based politics. In 2017 for example, clan affiliated groups calling themselves firfisa and tokuma groups were the two major political groups that began the departure from the politics of negotiated democracy. In this election however, alliances between previously warring clans based on political affiliations was witnessed. The community was divided along party/political interests as opposed to clans such that in one family you would find family members belonging to different parties vying for the same seat. This in turn gave birth to intra-clan and family conflicts.

Also witnessed was the shift from ethno-geopolitics to class-based politics, whereby a majority of the voters this time round cast their votes along the much- hyped Hustler-Dynasty narrative, a case in point being Central and Western in Bungoma, as opposed to the traditional ethnic lines that had hitherto been the norm. This class-based wave swept through Kenya Kwanza zones, wiping out even seasoned politicians who were perceived to have gone against the grain. Fears of such campaigns morphing into future class-based wars may be justified.



#### 4.1.9 High Cost of Living and Effects of Covid-19 Pandemic

The high cost of living and the adverse effects of Covid-19 have led to changes of economic status and thus increased vulnerability of the citizenry. The August 9th election was experienced at a time when Covid-19 restrictions were generally relaxed, deterring some voters from voting out of the fear of contracting the disease. The participants felt the current environment affected their voting patterns and their ability to vote as some had to choose between taking a day off to vote or putting food on the table. This could be the reason for the calmness noted.

### 4.2 Lessons Learnt

#### 4.2.1 Election success is a function of a well-coordinated multi-sectoral approach and many other attendant factors such as the legal framework, EWER mechanisms, stakeholder coordination, civic and voter education, peace campaigns and capacity building of relevant stakeholders.

Early planning and timely execution of electoral processes through multi-sectoral and multi-stakeholder engagements is a significant contributor to the peace experienced during the just-concluded elections. EWER mechanisms were critical for addressing tension and conflicts in the entire election cycle. Specifically, local EWER structures including the National Government Administration Officers (NGAOs), the security forces, village elders (especially in Coast, Kalenjin and Western Regions), religious leaders, the boda boda sector, nyumba kumi and community members contributed to peaceful elections by sharing information, as well as responding to issues in a timely manner. They collaborated and shared information very effectively, as one participant pointed out:

“The aggressive peacebuilding campaigns by different stakeholders, religious bodies, National governments actors, private sector, CSOs, several government MDAs, mainstream media houses, international bodies, meme lords [1], even politicians as they campaigned, stood out as a major contributor to the peace we experienced.” (Participant in Bungoma, KII)

#### 4.2.2 Conduct of politicians in the August 2022 Elections played a role in enhancing peace and tranquility

Public pledges by politicians to respect the outcome of the elections and subsequent acceptance of electoral results directly influenced voter reaction. Generally, citizens tend to remain peaceful when their preferred candidates concede defeat after loss or encourage their supporters to maintain peace and order as they seek redress as expressed by some participants:

*“When politicians allow the rule of law to take its course, conduct themselves maturely, and guard their emotions, then the public has no reason to resort to chaos and violence. This was the distinguishing factor in the 2022 elections.” (Government Official, Kisumu County)*

*“I was happy with these elections because things went back to normal and business activities resumed immediately the results were announced. What impressed me most was the culture of seeking justice through courts by Raila.” (Bishop, Migori County)*

### **4.2.3 Empowered and Resilient Kenyans can be credited to the years of investments in Kenyans' peace infrastructure and democratic process**

When citizens are empowered, they play their optimal role as active agents of peace. Drawing on lessons from the 2007, 2013 and 2017 general elections, against the background of the compounded effects of the COVID-19 pandemic and the high cost of living, citizens realised that peace is elusive and must be guarded and sustained. Hence they resisted manipulation and shunned any perpetration of violence. This maturity and resilience cannot be qualified without mentioning years of massive investment in the peace infrastructure in Kenya. Indeed, the majority of Kenyans yearned for the conclusion of elections and return to normalcy to enable them pursue normal economic activity.

*“Kenyans are slowly realising that elections come and go, communal relations remain, and life must move on, hence shunning negative politics. Lessons from the past (2007) created a conducive environment for embracing peace in this election.” (Influential Leader, Kericho County)*

### **4.2.4 Open and transparent electoral processes lead to reduced suspicion and thus increased trust in elections outcome**

Openness and transparency of electoral processes lead to reduced suspicion and increased trust among the citizenry. The IEBC uploaded result forms from all the 46,229 polling stations in the public portal making the results verifiable, hence minimising the chances of disputing the results. Regular and timely communication on all electoral processes, procedures and general preparedness of IEBC remains critical in building trust and confidence in the process.

The results were also widely respected partly because they were corroborated by various independent bodies such as the Election Observers Group (ELOG), Kenya's largest election monitoring coalition, as well as international observers.

### **4.2.5 Kenyans' understand the meaning of social cohesion, what unites and divides them – and are generally peace loving and uphold the rule of law. It's the politicians who influence their conduct through incitement to violence.**

### **4.2.6 The Kenyan security sector do have the capacity to maintain law and order, if adequately resourced and supported – as was the case in 2022.**

## **4.3 Conclusions**

The 2022 election was one of the most competitive in Kenya's history due to the transition, coupled with the unexpected camaraderie between the former President and Raila Odinga that sent ripples through the political environment, further complicating the succession crisis. Emergence of a new political dynamic based on class politics packaged as Hustler versus Dynasty was a testament of the changing ethnicised political discourse and the drivers of conflict. This general election was also set against a background of tough economic times on the heels of the COVID-19 pandemic.

Kenyans experienced relative peace, calm and tranquility during the just-concluded election, save for isolated incidences in specific counties. This bolstered a sense of patriotism and pride amongst Kenyans due to the maturity of the Kenyan democracy. This situation notwithstanding, a considerable number of Kenyans remain disgruntled, disillusioned and unhappy with the outcome of the results – a situation that calls for sustained healing, reconciliation and psychosocial support. The tremendous investment in the peace infrastructure, and the commitment to rally Kenyans towards peace and holding institutions accountable to undertake their roles effectively must continue if these gains are to be sustained. The grounds for the 2027 elections must be laid out now and not in 2026. The 2022 general elections have proved that early planning, policy review and implementation, engagement with all key stakeholders, adequate resourcing, coupled with the goodwill of Kenyans, are the cornerstones to attaining, credible, fair and peaceful elections.

## **4.4 Concerns**

### **4.4.1 Increase in Hate Speech and Cyberbullying**

The elections did also witness the negative side of technology. The increase in cyberbullying was a major concern during the electioneering period, despite a Memorandum of Understanding that was signed between the Communications Authority of Kenya and NCIC to curb hate speech and the misuse of online platforms. There was an increase in misuse of some of the keywords listed in the hatelex lexicon in the social media. Women were the most targeted by the cyberbullying from pseudo accounts, especially on Twitter and Facebook, resulting in some of them shying away from vying and campaigning to avoid online harassment and being accused of having sexual relations with male counterparts.

### **4.4.2 Voter Apathy**

Another major concern that the study revealed is the perceived dominance of the presidency by the two major ethnic groups since independence, namely the Kikuyu and the Kalenjin. A section of Kenyans remain indifferent to the politics of the day, with some going to the length of asking for deregistration from the IEBC voter roll.

The voter apathy witnessed in this election is also a key concern, in fact it is cited as the lowest in 15 years. As much as the treason for not voting as alleged by one respondent is -

*“cast a vote of no confidence against government institutions, and the feeling that our vote doesn’t matter anymore.” (CSO Leader, Nairobi)*

### **4.4.3 The Church and the State**

Kenyans are concerned that there seems to be no clear separation between the church and politics. It was also noted that despite some religious leaders contributing significantly to the peace Kenyans experienced, some respondents were concerned that some church leaders took a public political position that influenced voting patterns.

### **4.4.4 Civic and Voter Education**

The study further highlighted that one of the major concerns regarding the 2022 election was the lack of adequate civic and voter education by Electoral Management Bodies (EMBs), which was reflected in the low voter turnout, and in the failure by voters to take their right to vote seriously and choose the right leaders.

#### 4.4.5 Security of IEBC Officials

The security of IEBC officials is also a public concern. Notably, the violence experienced at the National Tallying Centre at Bomas of Kenya, as well as the unfortunate abduction and eventual murder of Embakasi East Returning Officer, stood out.

#### 4.4.6 The Supreme Court Ruling

The phrases used during the Supreme Court ruling on the presidential petitions caused discomfort to some of the public, especially to those supporting Azimio la Umoja-One Kenya Coalition Party. A boda boda respondent indicated that ‘hot air’ ‘wild goose chase’ lexicons did not augur well with ‘the ground’, and could have easily triggered violence.

#### 4.4.7 Inter-Communal Trade

Local trade among communities was affected by political affiliations. Notably, some respondents in Narok, Busia, Kakamega, Kilifi, and Mombasa Counties indicated that natives had, in the words of one religious leader respondent,

*“resisted doing business with GEMA because of the perceived betrayal by the Mountain”.*

#### 4.4.8 Data Protection

There are gaps in voter data protection where aspirants are able to access contacts of voters, coerce voters, and pretend to be pollsters seeking information. Respondents from Nairobi County were especially aggrieved by this turn of events, with some indicating that they started receiving SMS notifications from aspiring politicians during party nominations as well as the elections.

*“Over and above the nuisance factor, it’s disturbing that our data is up for sale. We were getting several SMS in a day, especially from MCA and MP aspirants,” a respondent from Kasarani pointed out.*

#### 4.4.9 Tallying of Results

The contradicting tallying by the mainstream media stations was a concern, with some respondents labelling some stations as biased. Social media, especially Twitter and Facebook, was rife with presidential declarations, with several bloggers releasing their own results. Results were initially projected on the screen at the National Tallying Centre, until the projection stopped on the 13th of August. This caused much tension, anxiety, anger and confusion among the watching public.

#### 4.4.10 Voter Bribery

Voter bribery was rife before and during elections. During election day, some aspiring candidates and party agents bribed citizens on the streaming lines, in the full glare of police officers and temporary IEBC officials. This was exacerbated by the high cost of living, with a youth respondent in Kibagare Informal Settlement, Nairobi, saying,

*“Tunawezaje lala njaa na kuna politician fulani anatumjenga chwani?” (How can we sleep hungry yet there is a politician giving us handouts of Ksh50?)*

#### 4.4.11 Relocation of non-natives

In several counties in Rift Valley, Western, Coast and Nairobi regions, there was a mass exodus of non-natives from the region over fears of political violence. However, some of the non-natives indicated that they had registered at their home counties and that forced them to travel, mainly to vote.

#### **4.4.12 Non-inclusivity of PWDs**

Non-inclusivity of PWDs during the voting day was a major concern.

*“There was no braille for the blind, no sign language interpreter for the deaf, and some could not even be accessed by those with wheelchairs,” one PWD respondent pointed out.*

#### **4.4.13 Public Servants and Politics**

Many public Servants and cabinet ministers were publicly campaigning for their preferred candidate(s). This created conflict of interest, as well as diluting public trust in these public offices. The non-inclusion of certain individuals in county employment due to their political affiliation was also raised as a concern. A case in point was in Nyeri and Nyamira counties.

#### **4.4.14 Non-inclusivity of Women**

Non-inclusivity of women was a major concern. Political parties did not heed the more than 2/3rd gender rule in their party nominations, as well as in their leadership structures. Further, some women candidates faced gender and sexual based violence in the course of undertaking their constitutional right of campaigning.

#### **4.4.15 Organised Crime**

Organised criminal groups provided security, and some were used as goons by aspiring politicians before and during elections. Some of these groups received special protection from politicians, and were therefore perceived to be untouchable. A cross-border committee member in Busia County responded,

*“In Busia, these groups would administer justice, including use of Kangaroo Courts and collecting revenues, and they had access to small arms that filtered in from neighbouring Uganda.”*

In Kilifi County, a group of around 80 men were arrested armed with pangas, war regalia and other light weapons, just before the August 9th elections.

#### **4.4.16 Healing and Reconciliation**

As much as one can be proud of Kenya's peaceful elections, the real work of uniting Kenyans beyond elections by tackling historical grievances that are deemed cancerous to the Kenyan social cohesion fabric is yet to be done. Even though there is relative peace and calm across the country, the level of cohesion is notably wanting, with study participants across the country terming it as negative peace. There is an urgent need for relevant institutions such as NCIC, CSOs, FBOs and other state and non-state actors to prioritise healing and reconciliation of Kenyan communities, without which cohesion remains elusive.

### **4.5 General Recommendations**

#### **1. Healing and Reconciliation for national unity**

As much as Kenya is proud of its peaceful elections, the real work is yet to be done of uniting Kenyans beyond elections and in tackling historical grievances that are deemed cancerous to the Kenyan social cohesion fabric. Providing spaces for venting is deemed important, especially to those still hurting from the loss of elections.

## **2. Voter Education and well resourced**

Voter education be prioritised and implemented right at the start of the electoral cycle and IEBC be given sufficient funds to implement continuous voter education for behaviour change.

## **3. IEBC to enhance their communication strategy and stakeholder management-**

IEBC should rethink its communication strategy with more focus on better citizenry awareness of their policies, processes and embedded in the electoral cycle. Likewise, stakeholder coordination and management must be more regular and transparent.

## **4. Safety and wellness of IEBC Officials**

Insulate IEBC officials from intimidation, harassment and death. Enforce additional security to enhance protection of IEBC officials involved in the electoral process pre, during and after elections. The health and life of IEBC officials must be safeguarded at all times and the death of two IEBC officer who died while undertaking their national duties on elections to be investigated and prosecuted.

## **5. Enforce Chapter Six of the Constitution on leadership and integrity**

To deter Involvement of public and state officer in politics. Also strengthen the ban of public resources being used for campaigning.

## **6. IEBC to retable to parliament a policy to enforce the law on the Election Campaign Financing Act of 2013, in order to mitigate campaign financing and voter bribery**

The Election Campaign Financing Act was passed in 2013, but to-date no regulations to give effect to this legislation, thus giving an open and free hand in access and use of money during our endless non-stop and highly costly campaigns – which in turn stimulate much of the corruption in Kenya.

## **7. Decentralise NCIC services to counties and strengthen its work**

Decentralisation to be carried out in the spirit of the Constitution of Kenya, and the institution to be better resourced for this and other purposes; and the NCI Act be reviewed if, it is to remain effective and relevant.

## **8. Judiciary to use conflict sensitive language**

While administering delicate work and determining landmark rulings such as presidential petitions.

## **9. Enforce the policy of data protection**

As espoused in the Data Protection of Act Number 24 of 2019, to protect voters' information from being accessed and used by politicians without their knowledge.

## **10. The Code of Conduct for the Practice of Journalism**

As entrenched in the Second Schedule of the Media Council Act 2013, the code of conduct to be enhanced to mitigate partiality in reporting.

## 4.6 Institution-Specific Recommendations

The following recommendations are directed towards individual institutions:

No	Institution	Recommendation(s)
1.	The National Cohesion and Integration Commission	<p>The Commission is mandated to facilitate and promote equality of opportunity, good relations, harmony and peaceful co-existence between persons of the different ethnic, religious and racial communities of Kenya. To achieve this the following is recommended:</p> <ul style="list-style-type: none"> <li>● Devolve services to the county levels to enhance the Commission's presence at the grass root level. To actualise this, the Government and development partners should provide adequate resources to undertake peace work.</li> <li>● Lead an initiative to promote national values.</li> <li>● Ensure continuous and sustained peace efforts throughout the electoral cycle through strategic collaboration with grass root organisations and like-minded stakeholders.</li> <li>● Conduct continuous studies, as well as continuous evaluations to gauge community's cohesion levels due to the dynamic nature of peace and conflict in Kenya.</li> <li>● Develop and disseminate a common standard curriculum or Standard Operating Procedures modus operandi (SOPs) needs to be developed by NCIC that details how to manage peacebuilding in Kenya.</li> <li>● Formulate strategies to deter the politicians and the public from engaging in hate speech on both offline and online spaces. Ensure through Investigation of hate-speech cases to ensure prosecution of offenders.</li> <li>● Conduct continuous ethnic audits and train the responsible officers on inclusivity as per the required legislations for policy consideration</li> </ul>
2.	Independent Electoral and Boundaries Commission	<p>Article 88(4)(1)(g) of the Constitution of Kenya mandates IEBC to conduct voter and civic education to ensure that all voters understand their rights, and the political system to make informed choices.</p> <ul style="list-style-type: none"> <li>● The study foregrounds the lack of adequate voter education as a major concern that contributed to high voter apathy. It is imperative that IEBC enhances this role to boost voter understanding of their rights, their political system and their responsibilities.</li> <li>● With the increase in the number of political parties and individuals vying for political office, the voting process becomes more complicated by the day. Consequently, all the six elective posts should not be selected in one day. Instead, they should be split so they are conducted on different days to ease the process, especially for special groups such as the elderly and the illiterate. (Although it is accepted that significant extra costs would be incurred.)</li> <li>● The division within the IEBC commissioners dented the image of the institution and if not checked has a high risk of causing mistrust credibility issues of the electoral process among the citizenry.</li> <li>● Conflict sensitivity in addressing internal issues among public officials should be handled privately and maturely. Moreover, IEBC should rethink its communication strategy with more focus of better citizenry awareness of their policies, processes and embedded in the electoral cycle. Likewise, stakeholder coordination and management marked with regular and transparent communication to be enhanced.</li> <li>● Regulate the timing and extent of campaign expenditure limit by politicians to shape elections in the future.</li> </ul>
3.	The National Police Service	<p>Enforcement of the cyberbullying and privacy laws provided for in the Computer Misuse and Cyber Crimes Act, 2018.</p>
4.	The National Gender and Equality Commission	<p>Prioritise protection of women against SGBV especially during elections, as well as empower them on electoral and human rights so as to give them a voice to agitate for their rights. Take punitive measures against government officials who interfere in county politics.</p>

5.	The Public Service Commission	Section 16(2) of the Public Officer Ethics Act stipulates that “A public officer shall not engage in political activity that may compromise or be seen to compromise the political neutrality of his office. Involvement of public servants and state officers in campaigns for their preferred candidates in the 2022 elections emerged as a major concern. This created conflict of interest, as well as diluted public trust in the said officials/offices. Should ensure strict adherence to the Public Officer Ethics Act.
6.	The Media Council of Kenya	The Code of Conduct for the Practice of Journalism as entrenched in the Second Schedule of the Media Council Act 2013 requires media practitioners to publish, broadcast and report fair, accurate and unbiased stories. However, the study foregrounds biased media coverage as a central concern in the 2022 general election, with key media houses blamed for taking political sides. The differing presidential vote results tallying by different media houses, coupled with the conflicting pronouncements over who won on social media spaces especially Twitter and Facebook, caused tension, anxiety, anger, and confusion among Kenyans. MCK should ensure strict adherence to the Act.
7.	Office of the Data Protection Commissioner	In the concluded elections, voter data was easily accessed by political aspirants. This exposed the voters who felt that their privacy had been infringed exposing them to harassment, coercion and manipulation. Study participants, especially from Nairobi County were especially aggrieved by this turn of events, with some indicating that they started receiving SMS notifications from aspiring politicians during party nominations through to the general elections. The policy of data protection as espoused in Data protection of Act number 24 of 2019, needs to be enforced.
8.	Ministry of Interior and Coordination of National Government	The safety and wellness of IEBC officials was a major concern in the just-concluded election. Several incidences of harassment, intimidation and loss of life have affected the effectiveness of their performance. There is a need for law enforcement agencies to review and enhance security and protection for all IEBC commissioners and employees. At least a few months to general elections, the security of senior IEBC officials engaged in key electoral process should be prioritised and enhanced. The death of previous officers be investigated and prosecuted.
9.	Judiciary	The language and tone used to deliver the presidential verdict was termed as ‘unduly exaggerated’ and a key contributor of the negative peace among a section of the populace. It is critical that the Judiciary exercises conflict sensitivity in delivering its judgments, more specifically while determining a landmark ruling such as presidential petition.
10.	Parliament	The Election Campaign Financing Act was enacted in 2013, but to date there have been no regulations to enforce the legislation. IEBC submitted campaign finance regulations to the National Assembly in 2016, but they were rejected. These regulations were resubmitted again in 2021, with the intention that they would apply to the 2022 general elections. Despite publication in the Gazette by the IEBC, the regulations were subsequently nullified in parliament. <ul style="list-style-type: none"> <li>• The absence of regulation of campaign finance is in apparent breach of the legal commitments of Kenya, principally in the Convention against Corruption, which requires, in Article 7(3), that “each State Party shall also consider taking appropriate legislative and administrative measures, consistent with the objectives of this Convention and in accordance with the fundamental principles of its domestic law, to enhance transparency in the funding of candidatures for elected public office.</li> <li>• Parliament to demonstrate the goodwill to end election malpractices by passing the elections campaign financing policy, which has flopped twice in approval before implementation.</li> </ul>
11.	Office of the Registrar of Political Parties	The public did not seem to understand the mandate of ORPP, as it confused it with IEBC needs. Therefore ORPP to increase levels of awareness of its mandate over and above working closely with political parties and politicians. Their work should also go beyond elections.
	Political Parties	Women and PWDs decried representation in party nominations. Political parties should promote the representation of women and persons with disabilities, in parliament and in the county assemblies.
	Ethics and Anti-Corruption Commission (EACC)	EACC to support interventions aimed at barring persons engaged in unethical and corrupt conduct from vying for election or appointment to public office.



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## Appendix



### Political Decency and Peace Charter for Presidential Candidates

I, **DR. WILLIAM SAMOEI RUTO** aspiring for the position of the **President of the Republic of Kenya**, under the United Democratic Alliance (UDA) Political Party, a member of the Kenya Kwanza Coalition, do state as follows:

**Recognising** our shared ideal of one Kenya, **Respectful** of our history and desirous of united Kenya, **Exercising** our democratic right to participate in the political life of our country, **Aware** that election violence undermine the ideals of peace and cohesion, **Desirous** of political decency and greater accountability, **Appreciative** of the peacebuilding work by the National Cohesion and Integration Commission (NCIC), commit that in my campaign, whether personally or through my colleagues, **I SHALL:**

- i. Adhere to the Constitution of Kenya as a whole, and especially Chapter 6 on Leadership and Integrity, and Article 10 on National Values and Principles of Governance;
- ii. Practice and advocate for political decency, accountability, and respect for human dignity, difference of opinion, freedom of association and speech;
- iii. Use a language of peace, inclusivity, respectful, culturally sensitive, educative, and issue-based, whether in public and private spaces before, during and after elections;
- iv. Not engage in hate speech, insults, and provocative language during my political campaigning;
- v. Not discriminate against any person, group, or communities because of tribe, gender, age, ethnicity, race, religion, disability, or any other reason;
- vi. Not give any form of inducement or bribery including money, alcohol, drugs or any other substance to influence the elections process;
- vii. I will take ownership and responsibility that will help my country achieve a value-based society for the prosperity of all Kenyans.
- viii. Whichever I win or lose, I will take responsibility on behalf of myself and my party/team/people to maintain peace and abide to the due process of the law.

I fully and willingly adopt and embrace in letter and spirit this Political Decency and Peace Charter and Commit myself to this Charter by signing as indicated below:

Name: William Samoei Ruto, PhD. Signature:

Date: 4 August 2022

Cell Phone: +254 791555222 Email: sg@uda.ke

Witnessed by, on behalf of the National Cohesion and Integration Commission:

Name: Rev. Dr. Samuel Kobia, CDS. Signature:

Date: 4-8-22

Designation: Commission Chairman, NCIC. Contact: 020-2585702 /3/ 1

National Cohesion and Integration Commission, Britom Towers, 17th Flr, Hospital Rd, Upper Hill, Nairobi.  
P. O. Box 7066 - 00100, Tel. +254-20-2585702/3/1, Email: [info@cohesion.or.ke](mailto:info@cohesion.or.ke) SMS Toll free No. 1547

## Appendix



### POLITICAL DECENCY AND PEACE CHARTER FOR POLITICAL ASPIRANTS/ CANDIDATES

I, RT. HON. RAJLA ODINGA aspiring for the position of PRESIDENT  
in KENYA County, \_\_\_\_\_ Constituency,  
and \_\_\_\_\_ Ward, do state as follows:

Recognising our shared ideal of one Kenya, Respectful of our history and desirous of united Kenya, Exercising our democratic right to participate in the political life of our country, Aware that election violence undermine the ideals of peace and cohesion, Desirous of political decency and greater accountability, Appreciative of the peacebuilding work by the National Cohesion and Integration Commission (NCIC), commit that in my campaign, whether personally or through my colleagues, I SHALL:

- i. Adhere to the Constitution of Kenya as a whole, and especially Chapter 6 on Leadership and Integrity, and Article 68 on National Values and Principles of Governance;
- ii. Practice and advocate for political decency, accountability, and respect for human dignity, difference of opinion, freedom of association and speech;
- iii. Use a language of peace, inclusivity, respectful, culturally sensitive, educative, and issue-based, whether in public and private spaces before, during and after elections;
- iv. Not engage in hate speech, insults, and provocative language during my political campaigning;
- v. Not discriminate against any person, group, or communities because of tribe, gender, age, ethnicity, race, religion, disability, or any other reason;
- vi. Not give any form of inducement or bribery including money, alcohol, drugs or any other substance to influence the elections process;
- vii. Use available legal mechanisms to resolve any grievances that I may have, while upholding the rule of law at all times;
- viii. Accept election results;
- ix. Be liable for legal or any other action in case I go against any provision in this Charter.

I fully and willingly adopt and embrace in letter and spirit this Political Decency and Peace Charter and Commit myself to this Charter by signing as indicated below:

Name: RT. HON. RAJLA ODINGA Signature: [Signature] Date: 7 JULY '22  
Designation/Position: PRESIDENT Political Party: AZIMIO  
Cell Phone: 0721 283 436 Email: rajla@rajla.org.ke

Witnessed by, on behalf of the National Cohesion and Integration Commission:

Name: Dr. Skitter W. Ocharo, PhD, HEC Signature: [Signature] Date: 09.07.22  
Designation: Commission Secretary / CEO Contact: 020-2585702 /3/ 1

Appendix



**Political Decency and Peace Charter for Political Party Office Holders**

I, DAVID MUAHIRE WAGIGA holding the position of PARTY LEADER  
in AGAND Political Party,

do state as follows:

**Recognising** our shared ideal of one Kenya, **Respectful** of our history and desirous of united Kenya, **Exercising** our democratic right to participate in the political life of our country, **Aware** that election violence undermine the ideals of peace and cohesion, **Desirous** of political decency and greater accountability, **Appreciative** of the peacebuilding work by the National Cohesion and Integration Commission (NCIC), commit that in my campaign, whether personally or through my colleagues, I SHALL:

- i. Adhere to the Constitution of Kenya as a whole, and especially Chapter 6 on Leadership and Integrity, and Article 10 on National Values and Principles of Governance;
- ii. Practice and advocate for political decency, accountability, and respect for human dignity, difference of opinion, freedom of association and speech;
- iii. Use a language of peace, inclusivity, respectful, culturally sensitive, educative, and issue-based, whether in public and private spaces before, during and after elections;
- iv. Not engage in hate speech, insults, and provocative language during my political campaigning;
- v. Not discriminate against any person, group, or communities because of tribe, gender, age, ethnicity, race, religion, disability, or any other reason;
- vi. Not give any form of inducement or bribery including money, alcohol, drugs or any other substance to influence the elections process;
- vii. I will take ownership and responsibility that will help my country achieve a value-based society for the prosperity of all Kenyans.
- viii. Win or lose, I will take responsibility on behalf of myself and my party/team/people to maintain peace and abide to the due process of the law.

I fully and willingly adopt and embrace in letter and spirit this Political Decency and Peace Charter and Commit myself to this Charter by signing as indicated below:

Name: David Muhire Wagiga Date: 9th July 20  
Designation/Position: Party Leader Political Party: Independent Candidate  
Cell Phone: 0722211211 Email: dmwagiga@nmmw

Witnessed by, on behalf of the National Cohesion and Integration Commission:

Name: Dr. Skifter W. Ochera, PhD, HSC Signature: [Signature] Date: 09.07.20

Designation: Commission Secretary / CEO Contact: 020-2585702 / 1

This publication was made possible through the generous support of:





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