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THE UNIVERSITY OF CALIFORNIA, SAN DIEGO

Voting, Fraud, and Violence: Political Accountability in African Elections

A dissertation submitted in partial satisfaction of the requirements for the degree Doctor of Philosophy

in

Political Science

by

James Dunaway Long IV

Committee in charge:

Professor Clark Gibson, Chair
Professor Karen Ferree, Co-Chair
Professor Stephan Haggard
Professor David Lake
Professor Craig McIntosh
Professor Sam Popkin

2012

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University of California, San Diego

2012

DEDICATION

To Mom and Dad

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"Point and Shoot Elections" *Foreign Policy*, December 2011 (with Michael Callen and Mohammad Isaqzadeh)

"Was it Rigged? A Forensic Analysis of Vote Returns in Kenya's 2007 Election," in *Democratic Gains and Gaps: A Study of the 2007 Kenyan General Elections*, Nairobi, Kenya: Society for International Development, 2010 (with Karuti Kanyinga and David Ndii)

"Addressing the Post-Election Violence: Micro-Level Perspectives on Transitional Justice in Kenya", *The Politics of Violence and Accountability in Kenya*, Oxford Transitional Justice Research Centre, Oxford University, June 2010 (with David Backer and Joseph Lahouchuc)

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FIELDS OF STUDY

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ABSTRACT OF THE DISSERTATION

Voting, Fraud, and Violence: Political Accountability in African Elections

by

James Dunaway Long IV

Doctor of Philosophy in Political Science

University of California, San Diego, 2012

Professor Clark Gibson, Chair

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My dissertation examines whether and how elections in Africa's emerging democracies support political accountability. Elections in developing countries often fail to meet acceptable standards of fairness, and this in turn can result in protest, violence, and fragility. Prior studies argue that ethnic fragmentation may produce these outcomes, but an "ethnic headcount" election in many African countries does not yield any one group's winner—candidates must appeal to voters beyond their co-ethnics. I take a different approach and argue that Africans utilize a diverse set of information sources beyond ethnicity, including cues about performance and policy preferences, to demand

accountable representation. In spite of these attempts, politicians frequently curtail legitimate electoral practices through corrupt manipulation of the vote, particularly when they perceive voters are likely to unseat them. Fraud creates incentives for violence between government security forces and opposition party supporters, activating a security dilemma between and within communities that encourages further fighting. Using the case of Kenya's 2007-08 election crisis, I test my argument focusing on three substantive areas: voting behavior, electoral fraud, and electoral violence. In Kenya, the fraudulent 2007 election sparked protests and wide-spread violence resulting in 1,500 deaths, 700,000 displaced people and the reversion of democratic progress. Contrary to standard accounts, my findings demonstrate that Kenyans supported well-performing candidates, regardless of their ethnicity. But commitment problems guaranteeing a free and fair race and a lack of an independent third party electoral commission to support a credible electoral process allowed for wide-spread rigging. Fraud instigated post-election protest and generated violence between party supporters, security forces, and communities. Ethnic fragmentation on its own did not cause this outcome. Novel data for my dissertation come from an exit poll, household surveys, election forensics, event count violence data, and ethnographic research from two years of fieldwork.

Chapter 1

Introduction

1. Political Accountability and Elections in Africa's Emerging Democracies

The end of the Cold War brought turbulent and massive change to the African political landscape. In the 1960s, democracy stalled in the era following decolonization and independence, giving way to military coups, one-party rule, and in many cases, civil war. After 1989, the collapse of the Soviet bloc in Eastern Europe witnessed concomitant democratization in much of sub-Saharan Africa. Since then, elections in Africa have become frequent, regular, and wide-spread.

In a fair system, elections allow for increased participation and the responsiveness of political leaders to the needs of the electorate. Przeworski, Stokes, and Manin (1999) define this "accountability" view of democracy is one in which "elections serve to hold governments responsible for the results of their past actions" (29). Elections are required for citizens to punish bad behavior on the part of errant leaders and reward good performers; and a "minimum procedural definitions" of democracy looks to elections as the single most important benchmark for classifying regime type across countries (Przeworski et *al.* 2000). So important are elections, that citizens and civil society consistently demand them, and the international community devotes significant technical and diplomatic resources to support electoral processes in the developing world.

Despite these efforts, elections in Africa's emerging democracies frequently fail to deliver accountability. Politicians engage in polarizing campaigns and do not deliver on needed policies. Illegal manipulation of the electoral process allows for wide-scale rigging and fraud. Elections periodically produce protest, violence, and even breakdown. Recent contests in Ethiopia, Kenya, Uganda, Zimbabwe, Sudan, and the Ivory Coast demonstrate the fragility of electoral outcomes. Notwithstanding citizen enthusiasm and support from outside actors, elections appear to subvert the very purposes they are designed to achieve in many countries.

Given these realities, can elections promote political accountability in Africa's new democracies? If not, why not? These two questions motivate the research in my dissertation. Previous approaches to the study of accountability and elections in Africa have typically focused on voters, and in particular on the determinative role of ethnicity in shaping political outcomes. These approaches have stressed the shared identity between citizens and politicians and the ways they reinforce strong attachments to one's group (Dickson and Scheve 2006; Horowitz 1985; Rabushka and Shepsle 1972), and spur fear of or prejudice towards ethnic outsiders (Horowitz 1985; Huckfeldt and Kohfeld 1989; Kinder and Sears 1981; Mendelberg 2001; Reeves 1997; Sniderman, et *al.* 2000). Voters may also use ethnicity as a shortcut to predict the distribution of patronage and goods (Bates 1983; Chandra 2004; Posner 2005; Wantchekon 2003), and/or the implementation and direction of policy (Ferree 2011; Mattes 1995). Ethnic ties may make elections zero-sum contests that turn violent because losers do not want governance from a rival group (Bangura 2006; Horowitz 1985; Snyder 2000). Whether for social or

instrumental reasons, these strong ethnic pressures from below vitiate non-ethnic forms of accountability.

I take a different approach to understanding political accountability in Africa. I focus on the complex interaction of what voters demand from politicians, and how politicians in turn respond to voters in the context of winning elections. I make two central claims with respect to voters and politicians.

First, I argue that Africans demand well-performing representatives. Citizens use their vote to support candidates who promise to and deliver services, as well as needed political and economic reforms, including fighting corruption, encouraging growth, and providing employment. Even when ethnic considerations are present, Africans fundamentally desire a productive government. From the perspective of voters, elections are an important and robust institution towards strengthening accountability.

Second, I argue that elections fail because politicians frequently ignore the demands of voters and subvert legitimate democratic practices. In spite of voters' attempts to hold politicians responsible, citizens cannot guarantee accountability on their own. Political leaders must work to uphold it. In Africa, politicians frequently undermine elections to prevent voters from throwing them out of office. They curtail legal electoral practices through unfair manipulation of the vote, particularly when they perceive voters are likely to unseat them. Fraudulent behavior on the part of politicians, working through corrupt electoral institutions, instigates post-election protest and violence between party supporters, security forces, and communities. This violence erodes the growth of nascent democratic institutions, and may cause reversion or breakdown. Elections therefore fail to supply accountability when politicians manipulate them. Building stronger institutions to

support fair elections that aggregate the legitimate preferences of voters forms a key component in achieving political accountability and stable democracies.

In my dissertation, I explore political accountability in Africa by focusing on the case of Kenya. The history of elections in Kenya provides an important lens for examining how voters treat elections as accountability mechanisms and how politicians undermine them. In 1991, Kenya transitioned to a multi-party democracy after decades of one-party rule under former presidents Jomo Kenyatta and Daniel arap Moi of the Kenya African National Union (KANU). While most Kenyans voted against a poorly performing Moi and KANU in the 1992 and 1997 elections, a divided opposition helped Moi achieve pluralities. He also regularly employed fraud and violence as a strategy to maintain power (Throup and Hornsby 1997). Kenyans overwhelmingly voiced their displeasure with Moi and KANU by voting in large majorities for Mwai Kibaki and his National Rainbow Coalition (NARC) in 2002.

By 2007, despite many successes in office, Kibaki became increasingly unpopular among the public because of his failure to tackle needed reforms on corruption, constitutional revision, services, and job creation (Kanyinga, Okello, Akech 2010). Wide-scale rigging occurred in the December 2007 race under the direction of a pro-Kibaki election commission (Kanyinga, Long, and Ndii 2010). In reaction, Raila Odinga of the opposition Orange Democratic Movement (ODM) and his supporters protested the illegitimate result. Kibaki deployed state security agents to stop the protests, and as a result, violence between opposition supporters and the state spiraled out of control. After the deaths of roughly 1,200 people, internal displacement of another 700,000, and injuries

to countless others, violence abated at the signing of a peace accord between Kibaki and Odinga, accompanied by the creation of a power-sharing coalition in late February, 2008.

The 2007-08 election crisis presented a significant threat to the integrity of the Kenyan state (Anderson and Lochery 2008). Standard accounts of Kenya and other developing democracies argue that elections prove destabilizing because of the deleterious effects of ethnic divisions (Oloo 2010; Horowitz 1985; Rabushka and Shepsle 1972; Lijphart 1977; Geertz 1963). In this view, Kenyan voters are ethnic voters and select poorly performing co-ethnics over ethnic strangers. To win votes from co-ethnics, politicians employ ethnic appeals during elections which may spark fighting. Further, Kenyan voters also demonstrate willingness to support illicit acts, like fraud, to guarantee their candidate's victory (Independent Review Commission 2008). Taken together, voters' acceptance of ethnic campaigns and fraud to support their co-ethnic candidates undermines democratic consolidation. This approach posits that elections fail to operate as accountability mechanisms because voters fail to treat them that way.

I apply a different theory to explain these events in Kenya. While ethnicity doubtlessly matters to citizens and some portion of the population votes along ethnic lines, ethnicity is not deterministic of voter choices in Africa (Arriola 2008; Bratton, Mattes, and Gyimah-Boadi 2005; Ferree and Horowitz 2010; Hoffman and Long 2012; Gibson and Long 2009; Mattes 1995; Lindberg and Morrison 2008). Kenyan voters care deeply about everyday politics, and whether their politicians perform well and actively pursue policies that benefit the majority. Although ethnic identification sometimes colors how voters rate politicians (Mattes and Piombo 2001; Ferree 2011), citizens in Kenya will toss-out poorly performing co-ethnics (Barkan 1976). Moreover, politicians cannot

usually win elections through co-ethnic support only. For example, the largest of Kenya's ethnic groups, the Kikuyu, only make up 22 percent of the population. The Luhya are the next largest ethnic group, with 14 percent. Winning presidential candidates must also gain at least 25 percent of the vote in five of eight provinces. Given the geographic concentration of groups within provincial boundaries, candidates must draw support from non co-ethnics to win at the polls. These constraints operate in many African settings, where more than half of countries do not yield single dominant ethnic majorities. Most Kenyans vote across ethnic lines, and considerations of performance and issues help them decide. Kenyans care about what their politicians do, not just who they are.

Despite these attempts, politicians too frequently undermine the legitimacy of elections by manipulating or ignoring de jure electoral processes, particularly when they perceive voters are likely to unseat them. Commitment problems guaranteeing a free and fair race and a lack of an independent third party to support a credible electoral process allow for wide-spread corruption. Specifically, incumbent parties influence electoral commissions, the core institution for managing elections to rig themselves into office. In emerging democracies with weak institutions and little oversight, these institutions fail to manage credible races.

Fraud, committed by politicians in areas of their political control, instigates post-election protest and creates incentives for violence between party supporters and security forces. The erosion of democratic institutions in the shadow of fraud activates a security dilemma between and within communities that encourages further violence. Violence that occurs after corrupt contests does not arise from social polarization between ethnic groups, or incentives to attack certain groups based on the distribution of resources.

Rather, fighting erupts from a reaction to fraud and the illegitimate re-election of poor performers. In Kenya, the response by the incumbent leadership of deploying state security agents to attack protestors and unarmed civilians fueled the spiraling violence. Elections therefore fail as accountability mechanism because politicians do not treat them that way.

The inability to establish consistent accountability through elections in fragile democracies like Kenya therefore relates to institutional supply, rather than citizens' demands. Voters want political and economic reform and value performance. They vote to maintain linkages of political accountability between themselves and their elected leaders. But emerging democracies frequently lack the public and electoral institutions that encourage politicians to play fair. An incisive analysis of accountability requires us to examine whether systems give voters real choices and whether they truly reflect the choices that voters make.

Exploring political accountability in emerging democracies has theoretical and practical relevance. Uncovering the micro-foundations of political choice will contribute important knowledge to the ways voters demand accountability and good performance. If Africans cast ballots to express ethnic identity or access goods from co-ethnics, elections will exacerbate social polarization. Leaders will not pursue policies supported by the majority of voters and corruption will continue. The political system will always reward those groups that are large or powerful enough to access power, while excluding others, and over-time, cause reversion and breakdown. If elections do little more than promote ethnic interests, both domestic calls for reform and international efforts aimed at promoting democracy and electoral assistance will gain little traction.

If, on the other hand, Africans vote with an eye towards improving the performance of elected officials and strengthening accountability, elections may serve as an important engine for creating policies which encourage more constructive political and economic results. Elections will signal the preferences of African voters to political leaders and should reward performance and policies that promote citizen welfare over time.

But citizens cannot create accountability on their own. First, the bodies charged with managing elections, including most importantly electoral commissions, must establish independence to operate as third party guarantors of credible races. Working in conjunction with domestic civil society, aid and assistance from the international community might serve to support electoral processes in robust ways. Besides the desire to strengthen local accountability and expand the community of democratic states, policymakers promote elections in Africa's emerging democracies as a core component of post-conflict resolution. For example, the international community recently lent significant technical and diplomatic support for electoral processes in Sudan, Liberia, Sierra Leone, and Ivory Coast. So far, a lack of understanding regarding electoral quality means that policymakers do not have the information they need to ensure that elections help resolve rather than instigate conflict. This information is vital, because *post hoc* solutions to electoral violence, like power-sharing arrangements, are poor substitutes for legitimate electoral process.

The policy goal must ensure the proper conduct of elections in the first instance. My findings suggest specific guidelines for how civil society and the international community can support efficacious electoral processes and deter fraud. First, the

guidelines include efforts to support the establishment of independent electoral commissions and provide continued oversight and monitoring of electoral institutions. Second, policymakers must consistently support the implementation of independent vote verifications, through tools like exit polls, and should work to develop innovative anti-fraud technologies that can be sustained locally and are suitable for viral, nation-wide, adoption. These form inexpensive and more effective ways to detect and combat fraud than do other kinds of governance aid,[1] and will help to lend needed credibility to elections.

I expect insights learned from studying accountability and elections in Africa, and Kenya specifically, to lend knowledge to other developing democracies beyond Africa with social divisions, such as Iraq, Afghanistan, Libya, Yemen, Egypt, and Pakistan. The international community rightly invests resources in these elections, particularly given the regional and international security concerns that local instability creates. Yet policies for ensuring electoral credibility and fairness have been *ad hoc*, inconsistent, and subject to persistently shifting emphasis on the part of international actors.

In the remainder of this chapter, I address how I approach the study of political accountability in emerging democracies. In the next section, I provide cross-national evidence from Africa on the occurrence of elections and characteristics of their institutional quality. In Section III, I present a short background to the Kenyan case. In Section IV, I explicate three central questions that guide my analysis. I outline my

[1] While the international community developed and deployed some of these techniques in the 1980-90s (Bjornlund 2004), they are not consistently applied given a lack of donor coordination and the common belief that significant assistance is not needed beyond founding elections, even though countries continue to reverse democratic gains in subsequent rounds.

arguments and how I test hypotheses using data with respect to voting, fraud, and violence in Kenya. Section V concludes with a chapter outline of my dissertation.

2. Patterns of African Elections: Voting, Fraud, and Violence

To situate the roots of African political behavior and the conduct and outcomes of elections, I first lay the empirical backdrop to recent democratic developments over the last four decades. Specifically, I examine the extent and nature of these elections, as well as their quality and outcomes. The incidence of democratic elections has grown in Africa over the past two decades, and these elections are increasingly competitive and likely to unseat incumbents. However, problems of fraud continue to plague races, and frequently result in post-election protest and violence.

The collapse of the Soviet bloc in Eastern Europe witnessed concomitant democratization in much of sub-Saharan Africa, giving empirical support to Huntington's "third wave" (Huntington 1991). Scholars contest the precise cause of this phenomenon, with some locating its source in international pressures for transition and liberalization, to those placing its roots in domestic conflicts for political power (Bayart 1993; Bratton and van de Walle 1997). Regardless, the fact remains that after 1989, elections in Africa have become frequent, regular, and wide-spread (Bratton and van de Walle 1997; Diamond 1997; Gibson 2002; Lindberg 2006). Updating Lindberg's (2006) dataset of African elections from 1989-2003, only 2 of sub-Saharan Africa's 48 countries have not held

elections in the post-Cold War period, and most countries are on their fourth or fifth round.[2]

Voting

Figures 1-11 use data from the National Elections Across Democracy and Autocracy (NELDA) dataset (Hyde and Marinov 2010) to demonstrate patterns of electoral behavior in Africa since independence. Figure 1 graphs the total number of legislative and executive elections from 1960-2006 in sub-Saharan Africa. The data show after the initial transition to electoral democracy in the 1960s, elections did not become a regular feature until after the 1980s. In some years of the early 1990s, there are as many as 30 elections a year in Africa. Figure 2 graphs data for a country's first multiparty elections. The decade of countries transitioning to independence in the 1960s produced founding multiparty elections, but most of the 1970-80s were without transitional elections. However, in the late 1980s-90s, a significant number of countries experienced their first multiparty race.

Figure 1 here

Figure 2 here

Despite the existence of these elections, they vary in the degree to which they allow for free and open competition. Figure 3 shows that during the 1960-80s, few

[2] Eritrea and Somalia.

opposition parties were allowed to compete. After the late 1980s, countries liberalized and allowed for more robust opposition participation. Figure 4 demonstrates that after the late 1980s, elections became more competitive: after allowing for more opposition parties, incumbent parties were more likely to lose. In Africa, elections are not only frequent and regular, but prove increasingly open and competitive, and more likely to result in turnover.

Figure 3 here

Figure 4 here

The NELDA dataset also permits an initial probe into the plausibility that government performance correlates with vote shares. Figure 5 plots elections in countries with poor economic growth against vote gains for the opposition. From 1960 to the late 1980s, there were numerous elections that did not seem to affect opposition success. However, beginning in the late 1980s, economic growth and opposition gains track nicely: weaker economic performance is associated with opposition gains. Figure 6 plots poor growth against incumbent loses, showing a similar pattern. In the first few decades of independence, incumbents remained in power despite poor growth. However, in the late two decades, incumbent success is much more sensitive to poor growth and incumbents more likely to lose when performing poorly.

Figure 5 here

Figure 6 here

Figures 7 and 8 look at the relationship between economic crises and opposition vote gains and incumbent loses. Figure 7 shows that after the late 1980s, perceptions of economic crises and opposition votes correlate highly. Figure 8 tells a similar story with respect to incumbent loses. All told, poor economic growth and perceptions of economic crises relate to the likelihood of opposition parties gaining votes and incumbent losing elections.

Figure 7 here

Figure 8 here

Fraud

Although most political leaders in Africa now gain and lose power through elections, electoral institutions remain inchoate and weak. Figure 9 shows that over the lifetime of African elections, domestic or international monitors have expressed concerns over whether races would be free and fair. This pattern remains, even after broad liberalization over the past two decades. For example, all 15 elections in 1990 had concerns over fraud.

Figure 9 here

Violence

Figures 10 and 11 track election related violence in Africa. Figure 10 displays the incidence of significant violence and civilian deaths. As elections increased in number after the 1980s, so did the number of violent elections. Figure 11 plots the occurrence of post-election riots and protests.

Figure 10 here

Figure 11 here

Are problems of freedom and fairness in electoral practices related to the occurrence of violence and protest? Figure 12 shows the occurrence of violence and concerns of free and fairness track closely, and that both have increased over the past 20 years. Figure 13 plots the incidences of riots and protests after allegations of vote fraud. Similarly, the two correlate highly and are more likely after the 1980s.

Figure 12 here

Figure 13 here

All told, the number of African elections has increased significantly in the last 20 years. These elections are more open and competitive, leading to opposition vote gains

and incumbent loses. The state of the economy correlates with vote shares—when the economy performs poorly, opposition parties are more likely to gain votes while incumbents are likely to lose office. Despite the increase in elections, their conduct remains problematic. A significant share demonstrate problems of freedom and fairness, and many elections are accompanies by civilian deaths and post-election protests and riots. Violence likely occurs in fraudulent elections. The record of African elections is therefore mixed—in some ways they demonstrate the potential to strengthen lines of accountability, but in other ways, they demonstrate institutional weakness.

3. The Case of Kenya

The case of Kenya's December 2007 general election and 2008 post-election crisis helps to explore the roots of political accountability in emerging democracies. Although Kenyan voters frequently demand accountability through their votes, political leaders fail to supply it. Kenya is similar to other emerging democracies given its record in holding elections, level of development and social diversity, and the various challenges regarding electoral fraud and violence. At the same time, Kenya differs from other countries. Observers believe it presents one of the most extreme forms of an ethnicized political system in Africa. Insights gained into the non-ethnic sources of political accountability in Kenya might therefore prove even stronger elsewhere.

Echoing similar political developments elsewhere in Africa at the time, Kenya transitioned from a one-party state under the Kenya African National Union (KANU)

when President Daniel arap Moi liberalized and legalized opposition parties in 1991. Multiparty elections followed in 1992 and 1997. Moi won by plurality on a KANU ticket in both elections, although a majority of voters had split support between various opposition parties (Throup and Hornsby 1997). During Moi's presidency, Kenya's economy declined through the 1980-90s. He failed to deliver services, engaged in rampant corruption, and did not tackle poverty or create jobs.

Under Moi's direction, local political leaders including parliamentary and civic candidates, successfully mobilized gangs tasked with inciting fear and attacking members of opposition supporters (Kanyinga 2009; Oyugi 2003). As a result, Kenya's first and second round multiparty elections in 1992 and 1997 suffered violent clashes before and after voting, and caused anxiety among policymakers, academics, and citizens that democratic transition might do little more than bring ethnic groups into conflict. On the surface at least, it appeared that voters simply returned poorly performing, but co-ethnic, politicians to office.

In 2002, Kenyans overwhelmingly voted for change, contrary to the expectations of skeptics. Ending four decades of KANU domination, opposition candidate Mwai Kibaki, a Kikuyu, of the National Rainbow Coalition (NARC) swept to victory with 63 percent of the vote against Uhuru Kenyatta of KANU (also a Kikuyu), Moi's chosen successor. Kibaki promised to end the corruption long endemic in Kenyan politics, deliver needed public services (including universal primary education), enact constitutional revision and other reforms, and pursue pro-development policies. Kibaki's campaign pledges followed years of economic stagnation, limited improvements in social welfare, and failures in political reforms. The clear rejection of Moi and the KANU label

in this election hinted at more voter sensitivity to the performance of Kenyan politicians—the “rascals” having been effectively thrown out. Moreover, Kenya passed through this contest without a repeat of the clashes from the 1990s. Pessimism in the 1990s gave way to optimism after 2002. Kenyans reported the second highest support for democracy of any country polled in the well-known Afrobarometer survey right after the 2002 election (Logan, Wolf, and Sentamu 2007). With regular elections, successful dominant party turnover, and multi-partyism; democracy appeared solidly on the brink of success in Kenya.

In response to these strong pressures from voters, Kibaki began to provide important reforms. He had inherited a moribund and stagnant economy in 2002 with consistently negative growth rates (Kanyinga and Long 2011); but, by 2007 Kenya’s GDP posted a robust 7.1 percent annual increase (Government of Kenya 2007). This included growth in important sectors of the economy including agriculture, services, and tourism. Kibaki also received widespread praise for delivering free universal primary education in 2003.

Despite these successes, Kibaki’s leadership also faced challenges. He failed to address Kenya’s continuing unemployment and inadequate public services (Kanyinga, Okello, and Akech 2010), including health, security, and water provision. In 2005, Kenyans tempered their support for Kibaki and rejected a referendum on a new constitution he had vigorously supported, with the newly formed Orange Democratic Movement (ODM) coalition fighting for a “no” vote. Commentators labeled this defeat a “vote against Kibaki” because of his anemic efforts to fight corruption and his last minute

attempts to change the draft constitution without the approval of the caucus which had debated and created it.

On December 27, 2007, Kenyan voters widely participated in the exercise of the country's fourth-round elections, with Kibaki running for re-election with his newly created Party of National Unity (PNU) coalition. ODM and its candidate, Raila Odinga, an ethnic Luo, challenged Kibaki. After months of a contentious campaign in which incumbent and opposition supporters traded angry rhetoric and occasional violence, 10 million voters braved long queues and hot temperatures to cast their ballots. International observers praised the conduct of election day (European Union 2008).

Nevertheless, the preferences expressed by a majority of Kenyans for the ODM candidate on election day did not transpose into an Odinga victory (Gibson and Long 2009). Kibaki and his allies successfully manipulated the Electoral Commission of Kenya (ECK) and rigged themselves into a second term (Kanyinga, Long, and Ndii 2010). Even before the ECK declared Kibaki the winner, protests began to mount across the country as the media reported various problems with the count (Throup 2008). On December 30th, protests erupted after the Commission officially declared Kibaki the winner. He followed this with a hasty inauguration to "seal the deal." Protest grew with violent confrontation between ODM supporters and police in Nairobi, Kenya's capital; Kisumu, Odinga's home in western Kenya; and the volatile areas in Coast and Rift Valley provinces (Anderson and Lochery 2008). Reports surfaced of police firing into crowds of unarmed civilians (Committee to Investigate Post-Election Violence 2008). The violence continued unabated for the next eight weeks. Ultimately, the toll on the Kenyan public proved tragic—nearly 1,200 dead, 700,000 displaced people, and billions of dollars lost

in trade, investment, and productive economic activity across the Horn and East African region.

After weeks of negotiation, under the auspices of the African Union, former United Nations Secretary General Kofi Annan successfully brokered a power-sharing agreement between Kibaki and Odinga on February 28. Kibaki remained president but Odinga became the newly created prime minister. The National Accord further specified a general power-sharing arrangement between the major parties in a "Grand Coalition." The agreement tasked the Coalition with needed reforms of various challenges that continued to plague political, economic, and social development in Kenya which were viewed as contributing significantly to the post-election violence.

While Annan's efforts and the formation of the Coalition ended violence in the short-term, the business of governing has proved neither easy nor consistently effective under power-sharing (Kanyinga and Long 2012). Although citizens voted in favor of a new constitution at a referendum in August, 2010, major corruption scandals continued to plague all sides of the coalition. Moreover, the recommendations of the Independent Review Commission (IREC) investigating the management of elections and the Committee to Investigate Post-Election Violence (CIPEV) probing the post-election violence stymied the Coalition looking to form a new electoral body and prosecute suspects charged with orchestrating electoral violence. The International Criminal Court (ICC) at the Hague indicted four suspects for post-election violence, including two sitting Cabinet ministers, William Ruto (affiliated with ODM) and Uhuru Kenyatta (affiliated with PNU). Both have expressed interest in running for president in the 2013 general

elections. Such realities paint a bleak picture for the ability of Kenya to run a fair race free of violence.

4. Outline of Argument: Voting, Fraud, and Violence

The outcome of Kenya's general elections in 2007 raises important questions about political accountability and the conduct of elections in Africa. Can elections promote political accountability in Africa's fragile democracies? If not, why not? To answer these questions, I investigate what voters demand from politicians, and what politicians in turn supply to voters. Specifically, for voters, I focus on the determinants of voting behavior and why citizens make the choices they do at the ballot box. Do these choices reflect narrow concerns of ethnic chauvinism and favoritism, or a broader concern over government performance and policy? For politicians, I focus on their logic of rigging elections and the strategies that parties and the government use in response to fraud, including protest and violence. Tying together the themes of voting, fraud, and violence, I argue that citizens vote for good performance and improved policies, but institutional failures from electoral fraud vitiate political accountability and may result in violence and democratic reversion. While Africans use their vote to demand accountability, politicians frequently fail to provide it.

Voting

Do voters demand accountability from their leaders? Do Africans use their votes to reward good performers, or to serve narrow ethnic interests? Ethnicity matters greatly to social and political life in Africa. Citizens frequently live in homogenous areas, marry within their groups, and support co-ethnic candidates for office. Prior approaches to voting envision the African voter as an ethnic voter. This view argues that information conveyed by the ethnic identity of candidates is so strong that voters will discount information on performance and policies and select co-ethnics either to express their social identity (Dickson and Scheve 2006; Horowitz 1985; Rabushka and Shepsle 1972), fear or prejudice towards ethnic outsiders (Huckfeldt and Kohfeld 1989; Kinder and Sears 1981; Reeves 1997; Sniderman et *al.* 2000), and determinations about the distribution of patronage and goods (Bates 1983; Chandra 2004; Posner 2005; Wantchekon 2003) or the direction of policy (Dawson 1994; Ferree 2011). Voters use the ethnic identification of candidates as an information short-cut producing elections which are headcounts, with electoral returns reflecting an ethnic census (Chandra 2004; Ferree 2006, 2011; Horowitz 1985). Ethnicity can make elections so destabilizing that they frequently produce breakdown and reversion (Horowitz 1985; Rabushka and Shepsle 1972; Geertz 1963; Snyder 2000). Ethnicity and vote choice frequently correlate in Kenya where candidates received overwhelming support from their co-ethnics. President Mwai Kibaki received 94 percent of Kikuyu support, Raila Odinga received 98 percent of Luo support, and Kalonzo Musyoka received 85 percent of Kamba support.

Despite the importance of ethnicity towards understanding political phenomenon in Africa, focusing solely or mostly on the ethnic drivers of the vote obscures several important aspects of African elections. First, many voters cannot select a co-ethnic in a

national race. The Kikuyu are Kenya's largest ethnic group with 22 percent of the population; the Luhya are the second largest, with 14 percent. Elections force most voters to select across ethnic lines because only a few groups field viable co-ethnic candidates. Winning presidential candidates must also gain at least 25 percent of the vote in five of eight provinces. Second, voters frequently choose between competing co-ethnics, especially in local races (although occasionally also at the national level, as in Kenya's 2002 presidential election). Third, the ethnic identity of candidates does not always successfully convey reliable information. For example, each of the three main parties in Kenya's 2007 election chose members of the same ethnic group as their vice presidential candidates. Ethnicity can sometimes confound more than it clarifies. Given these shortfalls, ethnicity is rarely the only, or best, source of information that voters use when making electoral choices.

To help resolve the shortfalls of ethnic theories in predicting the African vote, I develop an alternative approach. I argue that voters in multi-ethnic and emerging democracies rely upon a number of information sources to help inform their decisions. Voters know the ethnic identity of candidates, which holds particular importance for voters with co-ethnics in the race. But voters also take information short-cuts to assess candidate quality, which extends beyond that candidate's ethnicity. Specifically, I argue that government performance and candidates' position on important policy issues form additional sources of information that voters use to decide (Bratton, Mattes, and Gyimah-Boadi 2005; Mattes 1995). I understand performance in new democracies to include the delivery of public services, such as security, roads, schools, and jobs, which are highly visible and consequential to the lives of the largely poor African electorate. Because the

delivery of public services is easy to assess and important for citizen welfare, it forms an important information source of voters' decision-making. Retrospective performance of incumbents and parties matters, as does what competing parties promise in the future. Voters also use information from campaigns, in particular their stance on policies relative to candidates' to project the likelihood of successful governance in the future. While ethnicity remains an important source of information to voters, most citizens utilize knowledge in addition to candidate ethnicity to make decisions. Evaluations of government performance and policy differences provide this.

Comparing the relative salience of ethnic and performance information, voters have good reasons to lend weight to performance. I analogize the relationship between voters and elected leaders to one of principal and agent (Kiewiet and McCubbins 1991). Information about performance helps voters (principals) to avoid problems of adverse candidate selection and shirking as they are able to pick better candidates and parties (agents) and monitor their behavior (Manin, Przeworski, and Stokes 1999). Over time, this should induce better performance and policy outcomes from politicians, anticipating re-election. Only relying upon ethnic cues pays fewer dividends with respect to the benefits that voting ought to produce in terms of accountability, reform, and growth. If voters decide primarily or exclusively based on ethnicity, politicians are able to shirk in ways that harm voters over time, both co-ethnics and ethnic strangers. If politicians believe they will always draw support from co-ethnics, they have little incentive to either perform well for that group, or to perform well or appeal to other groups. Reliance upon performance helps to increase the likelihood that politicians will provide improvements to citizen welfare in fragile and poor democracies.

I employ two new methods to study the African voter. First, I designed and implemented a nationally representative exit poll conducted on election day in Kenya.[3] To my knowledge, this is the largest (5,495 respondents) and the first exit poll designed specifically to examine voting behavior. Responses on the exit poll allow me to investigate the correlates of voting, including how ethnicity, performance, and campaign issues generate votes for the incumbent President Mwai Kibaki or his challengers. In addition, I test for the interaction between ethnicity and performance, and whether ethnicity drives performance evaluations or whether voters discount the performance of their co-ethnics. Second, I embedded an experiment within the exit poll that randomizes both ethnic and performance cues to see which has a larger role in predicting candidate support. An experimental approach allows for better causal identification of ethnic and performance treatments on vote choice, as well as providing a cleaner test of their relative salience.[4]

My findings from the exit poll and the survey experiment show a more nuanced picture of Kenyan voters than observers typically paint. While voters with co-ethnics in the race are likely to select them, ethnicity explains less variation in vote than a combination of performance and campaign issues. Voters care intimately about the provision of public services and reward good performers and sanction poor performers, even their co-ethnics. Opposition candidates do well by campaigning on issues that matter to voters and stressing the policies they would enact if elected. While his co-ethnic Kikuyus supported him in large numbers, my results show that President Kibaki's vote

[3] The survey was funded by the United States Agency for International Development (USAID), the International Republican Institute (IRI), and the University of California, San Diego (UCSD).

[4] I have replicated the exit poll and survey embedded experiment with colleagues for recent national elections in Ghana (December 2008) and Uganda (February 2011).

shares were greatly determined by his performance in office. Kibaki's main challenger Raila Odinga capitalized on this, as well as the campaign issues he highlighted and policies he proposed.

Much like the effects of partisanship in industrialized democracies, I find that views of performance are partially endogenous to ethnicity, and that ethnicity serves as a "filter" through which citizens view government performance for some, but not all, voters.[5] Voters may slightly discount the performance of their co-ethnics, especially when they evaluate incumbents. But ethnicity does not color the perceptions of performance for most voters who evaluate non co-ethnics. Even given the interaction between ethnicity and performance, performance still plays a powerful role in shaping the vote.

The survey embedded experiment also provides important results on the relative salience of ethnic and performance cues. A little over 20 percent of the Kenyan electorate vote purely based on ethnicity—not a plurality large enough to win or predict the outcome of an election. These Kenyan voters are decidedly ethnic voters. Over 70 percent of Kenyans vote with an eye towards good performance.[6] In sum, even given the small proportion of ethnic voters, Kenyan voters attempt to use elections as an accountability mechanism.

Taking the minority sub-set of ethnic voters from these tests, I further explore the motivations of this group —including strong in-group attachments, fear or prejudice of ethnic strangers, and beliefs about ethnic favoritism in the distribution of patronage and

[5] For similar investigations in South Africa, see Mattes and Piombo (2001), and Ferree (2011).
[6] These numbers do not perfectly sum to 100 percent given a small proportion of "don't know" and "refused to answer" answer options.

goods. My results yield results at odd with much of the literature. Rather than using votes to receive ethnically-based goods and patronage, the prime motivation for ethnic voters arises from fear or the perceived loss of individual security that results from the election of ethnic outsiders. This portends post-election violence.

My findings regarding voting behavior contribute to an understanding of elections in new democracies as a core component to establishing linkages between citizens and politicians. This occurs even in a divided society like Kenya. Voters demand accountability at the ballot box, and reward politicians that supply it, or—in the case of non-incumbents—promise to supply it. While some voters select on ethnicity alone, voters employ a diverse set of information sources to help them decide, focusing especially on candidate performance.

Fraud

Citizens may demand accountability through the vote, but politicians may subvert popular will given a weak institutional environment. Poorly performing incumbents who would otherwise lose a fair election can manipulate or even steal the vote to stay in power. My second line of investigation studies the causes and dynamics of electoral fraud. Why are some elections legitimate while others prone to fraud? What strategies of rigging do incumbents and opposition parties use to rig? Prior approaches to the study of fraud focus on methods of detection and measurement strategies (Berber and Scacco 2008; Kanyinga, Long, and Ndii 2010; Mebane 2008; Myagkov, et *al.* 2009), or attempts to reduce it (Callen and Long 2012; Hyde 2007, 2010). These studies focus less on rigging strategies and the links between fraud and violence. As much as Kenyans express

the desire for political reform and improved economic policies at the ballot box, politicians may employ strategies to subvert popular will, particularly where they know that ethnic identity will be insufficient to assure their re-election. Electoral fraud plays a critical role in blocking the maintenance of political accountability.

Elections are a gamble that all sides recognize could increase or decrease their post-election share of power. Given that a lottery (election) will occur and therefore either side can lose, parties must calculate their expected utility of losing against their ability to prevent that outcome through perhaps unfair means. The problem of elections, like war, is therefore one of credible commitment: if both sides believe they can lose, they have incentives to try and maximize gains relative to losses through manipulating ballots.

Third party agents play an important role in overcoming these commitment problems (Walter 1997; Lake and Rothchild 1998). In established democracies, robust and independent third party institutions, like electoral commissions, may provide competent management of elections and a credible check of results. These institutions help to alleviate credibility problems by deterring cheating. But fragile democracies commonly lack these institutions. The absence of checks on results decreases the marginal cost of fraud as it decreases the likelihood that parties will be caught or punished. While the parties in Kenya and most emerging democracies do not hold direct responsibility for *de jure* electoral management, governments empanel commissions to run and tally the vote. In Kenya, this included the Electoral Commission of Kenya (ECK). If these commissions lack independence, they fail as a third party because any

information they convey regarding the election's validity or reliability is likely to be seen as partisan.

Parties have a portfolio of options depending on their locations of political control. Both incumbent and opposition parties will rig where it is cheap and easy to monitor—that is, areas of strong political support. For PNU, this includes Kibaki's home region of Central province, and for ODM, it included Odinga's home in Nyanza province. I also argue that PNU had an additional strategy. Given a partisan and pro-incumbent ECK, the Party of National Unity (PNU) and President Kibaki used the commission to undermine votes nation-wide in order to increase vote shares beyond the margin necessary for victory. They did this to satisfy both requirements of winning office in Kenya: that a candidate takes a plurality of votes nation-wide and at least 25 percent of the vote in any five of eight provinces.

The incumbent's upper bound on rigging is limited by not being able to rig in areas of strong opposition support, where a lack of political control makes buying off election officials expensive. Conversely, a lack of nation-wide political control severely limited the opposition Orange Democratic Movement (ODM). They rigged in their homelands and areas of strong political support, but were constrained by PNU's nation-wide dominance and control of the ECK. Compared together, PNU rigged more and by enough to gain office illegitimately.

If parties can rig, what incentives do politicians have to perform? The ability to rig an election does not mitigate the importance of incumbent performance. Politicians have a portfolio of strategies that will help them gain office—performance proves critical to garner nation-wide vote shares. Close races where the winner is in doubt also create

scenarios where illegal manipulation may put a candidate over the winning threshold. But rigging always comes with potential costs. International or domestic monitors may document cheating, and various legal institutions, including courts, could sanction candidates or nullify results. Moreover, and as we will see with Kenya, fraud can spark post-election protest and violence. Disruption and instability imposes costs on the government and opposition parties. As a result, rigging is not typically the only electoral strategy that political actors use to win elections.

I test hypotheses on the strategies of rigging using two methods. First, I compare official results with those from the exit poll. My exit poll provides the only independent verification of the vote for Kenya's election. Second, I employ a forensic examination of election returns. I use both sources to construct a novel dataset on various indicators of fraud and its locations. To preview results, I find that variation in malfeasance follows from the different strategies available to the incumbent and opposition party based on political control and that rigging occurred to enough of a degree for the Electoral Commission of Kenya (ECK) to wrongly declare incumbent Kibaki of the winner. I conclude, a fairly counted vote would have reflected voters' desire for change and the election of Raila Odinga.

In light of the ECK's failure to manage a fair election, I look at the role that independent monitors, including domestic civil society and international observers, played in Kenya's election. While the European Union initially blew the whistle on PNU fraud, the US decide to bury the results of the exit poll, the only independent verification of the vote.

Violence

Institutional breakdown from electoral fraud has serious consequences for stability and consolidation in fragile democracies. Given the investment citizens make in voicing their demands through voting, the failure of political institutions to provide valid and reliable vote counts holds important implications for countries transitioning to more complete democracy. Political mobilization for elections means that citizens are well-organized to protest rigged results that they deem illegitimate. My third line of investigation concerns the causes and dynamics of election violence. In what ways do weak electoral institutions contribute to violence? Why does violence arise in certain areas, but not others? What role do political actors, state security forces, and local communities play in committing violent acts? Prior approaches to explaining electoral violence focus on the roles of social immoderation and ethnic biases in the distribution of scarce goods (Anderson and Lochery 2008; Kanyinga 2009; Mueller 2008; Oucho 2010). The motivations that may drive ethnic voting –including strong group attachments, fear and prejudice to outsiders, and favoritism—may also hold implications for violence. Elections activate campaigns where politicians force strong ethnic appeals to increase vote shares (Horowitz 1985; Snyder 2000; Wilkinson 2004). Citizens and politicians view political power as zero-sum, winner-take-all ethnic contests (Bangura 2006). Because elections are a referendum on who governs and distributes, groups fight to gain control of the state and force exclusion on ethnic strangers. These strong pressures from below paint a bleak picture of the likelihood of democratic survival in multi-ethnic and emerging democracies (Horowitz 1985; Geertz 1963).

However, if ethnicity alone motivates electoral violence, a number of empirical puzzles remain towards explaining the outcomes of Kenya's 2007 election. First, why does violence happen in some elections and not others, and in some places and not others? Second, violence typically makes both communities worse off than they would have otherwise been in the absence of fighting. Therefore, why do groups and politicians in Kenya fail to bargain some efficient distribution of resources relative to the potential losses that would result from conflict?

I focus on the political determinants of electoral violence. Kenya's post-election violence produced intense fighting resulting in nearly 1,200 deaths in an eight week period in early 2008. This form of violence encompassed post-election protest, state repression, and communal fighting. I focus on the role of institutions—including the electoral commission, parties, and state security apparatuses— and how institutional performance creates incentives for violence. I also highlight the role of ethnicity, in particular whether areas of strong feelings of group attachment, fear and prejudice to ethnic outsiders, and beliefs about biased resource distribution correlate with incidences of post-election violence. We have seen how performance and ethnicity matter towards understanding voting. They also play formative roles in electoral violence.

I argue that the uncertainty of outcomes in the shadow of elections makes both sides more likely to rig the process when no third party check against electoral malfeasance exists. I look at the consequences of that rigging. The rollback of electoral institutions by corrupt political actors creates incentives for losing parties and their supporters to react violently. The nature of the executive branch means that parties view the presidency as winner-take-all, where only one party will control policy-making. This

loss of power moving forward contributes to the cost-benefit analysis of how to react to rigging in the present. While party organizations coordinate to mobilize voters, they also overcome collective action problems to protest outcomes they view as fraudulent (Tucker 2007). Specifically, areas with high support for Odinga and ODM should experience significantly more violence than those with support for Kibaki and PNU, even controlling for the candidates' co-ethnic areas of strong Luo and Kikuyu support.

The intervention of the state in committing acts of violence, and failing to provide for security, also creates incentives for citizens to react violently in the shadow of a rigged election. Citizens must try and organize locally for collective defense—and those communities with tighter control over their members are more likely to succeed in this regard and achieve peace, while those who are not are likely to suffer violence.

Beyond rigging, I also argue that other kinds of institutional performance matter towards understanding violence. The provision of government services shapes opportunity costs of violence within communities. I argue that areas where citizens view government service provision more positively are less likely to experience violence. Areas with more negative perceptions of service delivery are more likely to experience violence. Communities with higher perceptions of service provision are more likely to cooperate since the benefits from services outweigh the benefits from violence. As perceptions of service delivery decline, violence becomes a more attractive option for citizens to gain needed goods.

In response to opposition protest, state agents played a critical role in perpetrating acts of violence by attacking opposition members, as well as failing to intervene in some areas. When the state fails as a neutral and competent arbiter of security provision,

citizens again weigh the costs of violence against the costs of protection. As safety provision grows weaker, the state activates a security dilemma between communities and creates incentives for people to strategically employ violence as a means of predation and/or protection (Fearon 1998; de Figueiredo and Weingast 1999).

Where the state fails to provide security, citizens may look to other institutions to fulfill this role. Locally, individuals may turn to their co-ethnics to coordinate and provide for collective defense given that most Kenyans live in ethnically homogenous areas. This is especially likely in areas that experience a high level of dormant ethnic fear. I argue that the activation of a security dilemma by the state will have differential effects based on characteristics of how ethnic groups behave at the local level. Where groups have prior levels of coordination and the ability to sanction in-group members, violence is less likely. Where groups are more internally divided and fail to coordinate, violence is more likely (Bates 1983; Fearon and Laitin 1996).

Ethnicity therefore plays a nuanced role in explaining violence, derived from the actions of the state, rather than extreme levels of social polarization or resource scarcity. Latent ethnic fear may not cause violence normally, but becomes active during elections given uncertainty of outcomes, unfair electoral processes, and the inability of the state to provide local security.

The negotiated settlement between PNU and ODM in February-March 2008 illustrates how power-sharing and inclusive government can reduce incentives to fight in the short-term. The post-election violence abated when PNU/Kibaki and ODM/Odinga signed an agreement after mediation by Kofi Annan. The signing of the agreement, which kept Kibaki president and made Odinga prime minister with all parties members of a

Grand Coalition, signaled to the public that the agreement would accommodate all political factions in the post-election structure of government and allocation of resources. Inclusive government brought all sides into government, thereby reducing a security dilemma and fear of ethnic others.

To test hypotheses on variations in the timing and location of electoral violence in Kenya, I construct a novel event count quantitative dataset of violent incidences. I build it from the extensive qualitative reports from the Committee to Investigate Post-Election Violence (which the International Criminal Court has used to investigate crimes against humanity and issue indictments against four suspected masterminds, including members of PNU and ODM). I merge these with electoral data and pre-election survey data measuring ethnic fear. I support these quantitative analyses with ethnographic data gathered from over two years of fieldwork in Kenya, including responses from focus groups in areas affected by post-election violence.

My results support the view that initial post-election protest occurred in areas of strong opposition support, not solely in areas populated by co-ethnics of the candidates. Areas that had higher levels of government service provision were less likely to experience violence, whereas those with less service provision were more likely. I find that a heavy-handed state response activated a security dilemma and pre-existing levels of fear also predicts locations of violence.

5. Organization of Dissertation

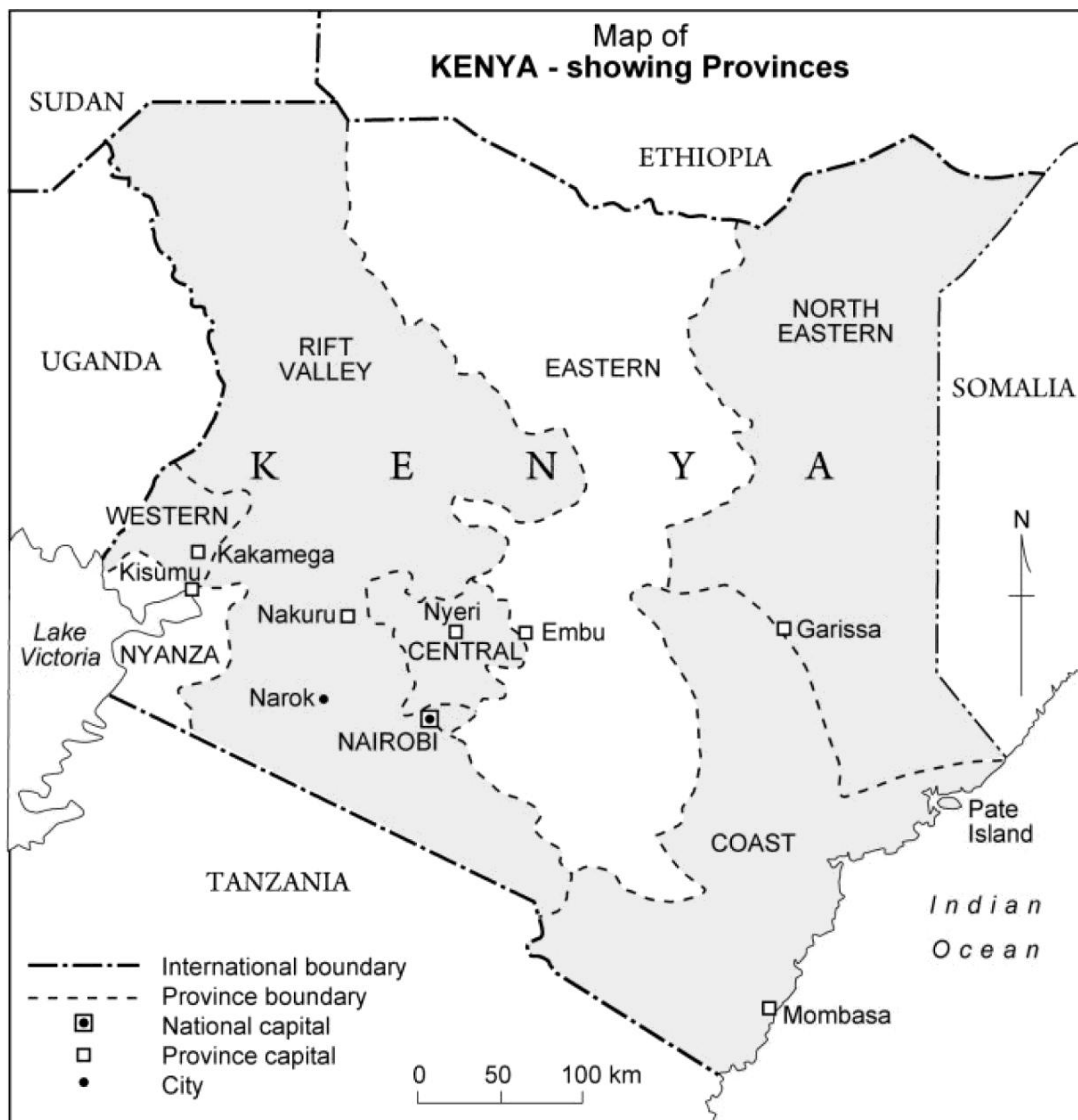
I organize my dissertation as follows. In Part 1, I explore the demand for political accountability expressed by voters. In Chapter 2, I present a theory of voting that examines the role that ethnicity, performance, and issues play in shaping the information that voters use to decide. I provide a narrative background to the ethnic, performance, and policy issues in the campaign and test hypotheses on voting with data from a nation-wide exit poll I conducted for Kenya's 2007 general elections. This includes a survey embedded experiment that allow for better causal identification on the relative salience of ethnic and performance cues in determining voting behavior. In Chapter 3, I take the minority sub-set of ethnic voters identified in Chapter 2 and test hypotheses on what ethnic logics drive ethnic voting, using additional data from a novel nation-wide household survey. My results yield results at odd with much of the literature. Rather than using votes to receive ethnically-based goods and patronage, the prime motivation for ethnic voters arises from fear or the perceived loss of individual security that results from the election of ethnic outsiders.

In Part 2 of the dissertation, I examine politicians and the institutional supply of political accountability in Kenya. In Chapter 4, I explore the causes and dynamics of electoral fraud. I theorize the costs of rigging as a function of political control given the absence of a third party credible check on results. The incumbent PNU used a partisan commission to rig nationally, while the opposition ODM could rig only locally. To test hypotheses on strategies of fraud, I use exit poll data and forensic analyses of vote returns. I combine this analysis with an in-depth narrative account of how PNU manipulated the vote within the Electoral Commission of Kenya.

In Chapter 5, I explore the determinants of electoral violence in Kenya. I extend the theory from Chapter 4 to show how electoral fraud sparks post-election opposition protest. I then show how violence spiraled further. This evolution came from the incumbent response expressed through state repression activating a security dilemma between and within communities. To test hypotheses on electoral violence in Kenya, I construct a novel event count dataset on violent incidences.. I support these quantitative analyses with ethnographic data from focus groups with victims of the post-election violence.

In Chapter 6, I conclude by discussing the political dynamics in Kenya since the power-sharing agreement. I include both theoretical and policy implications of my findings for elections in other emerging democracies.

Illustration 1: Map of Kenya



Source: Kithiia and Dowling 2012

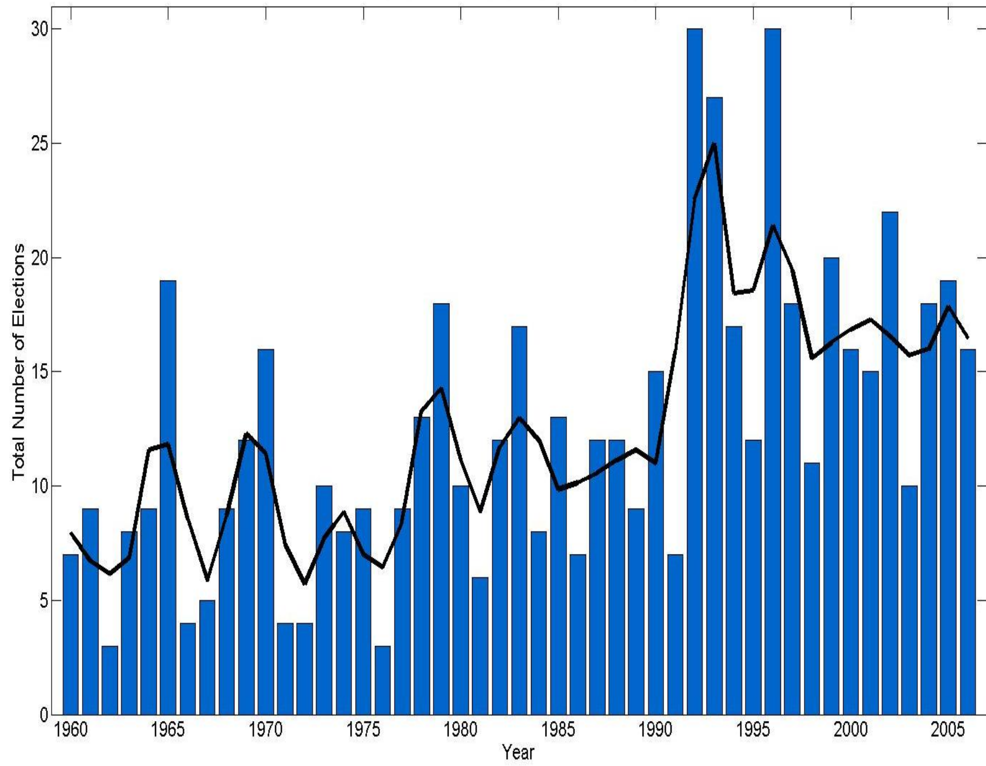


Figure 1.1: Total Number of African Elections: 1960-2006

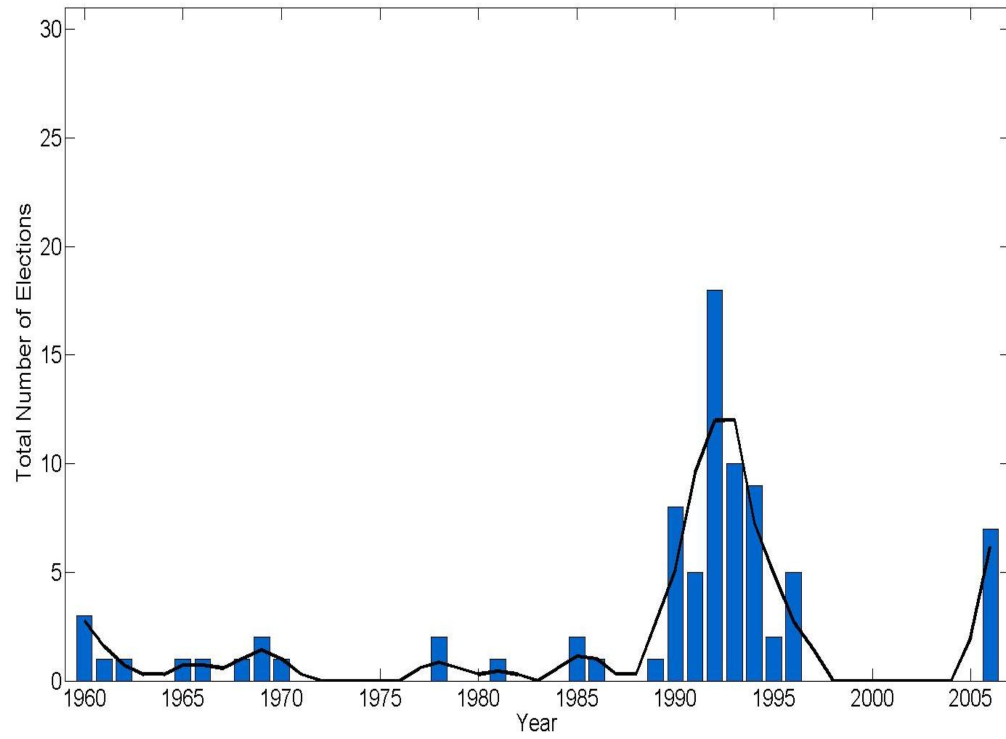


Figure 1.2: First Multiparty Elections in Africa: 1960-2006

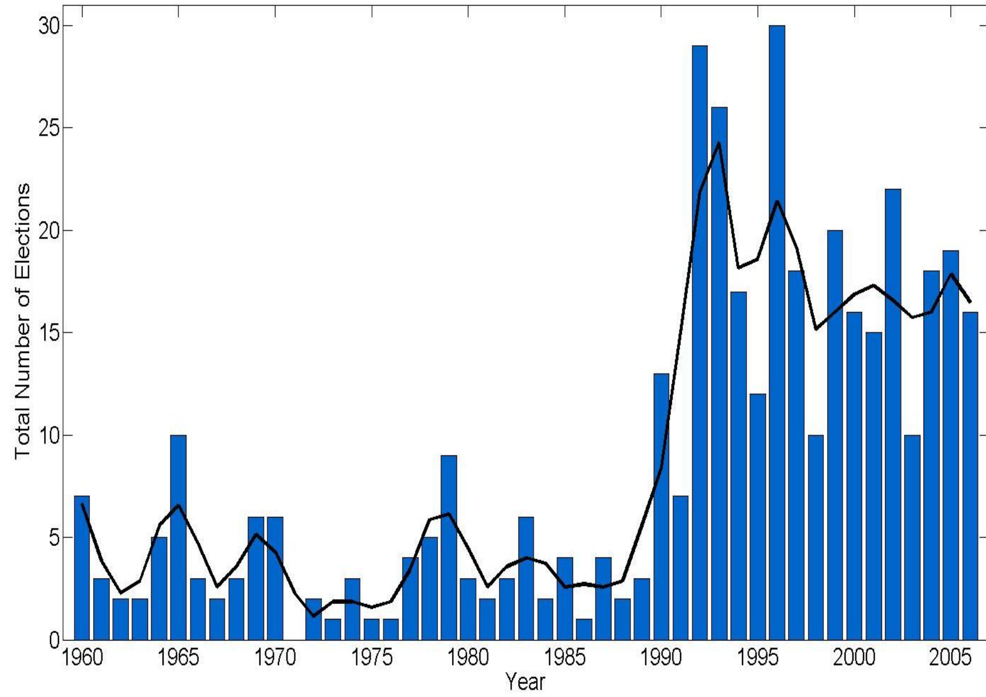


Figure 1.3: Opposition Participation in Elections in Africa: 1960-2006

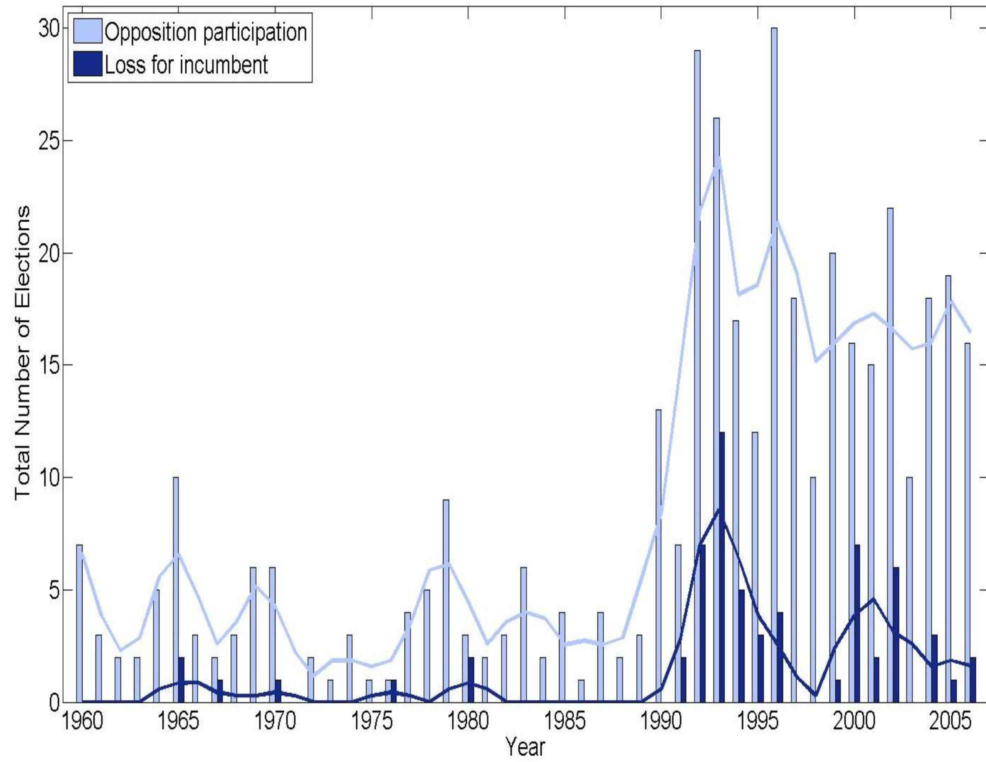


Figure 1.4: Did the Incumbent Lose When Opposition Parties were Allowed to Compete?

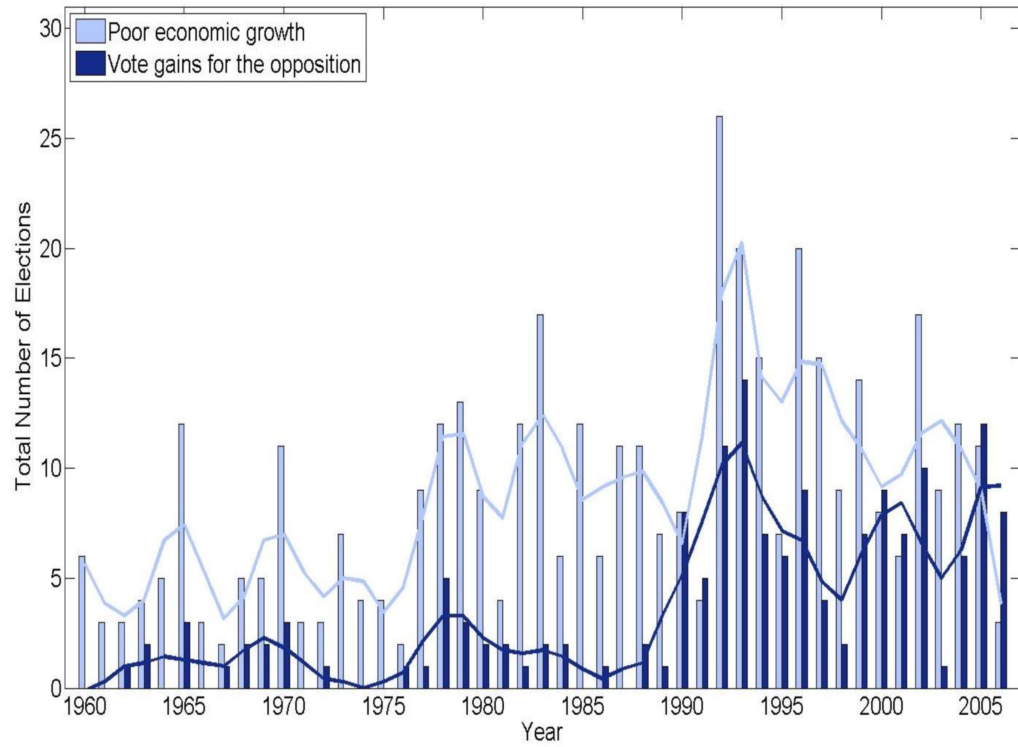


Figure 1.5: Were there Vote Gains for the Opposition with Poor Economic Growth?

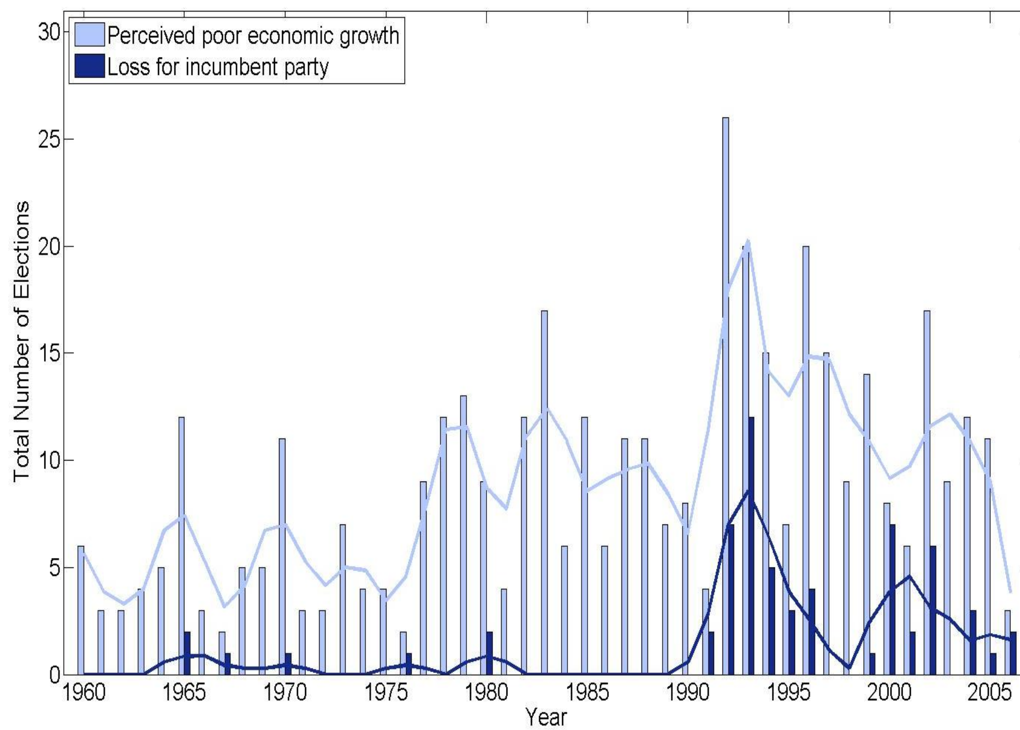


Figure 1.6: Did the Incumbent Party Lose in Times of Poor Economic Growth?

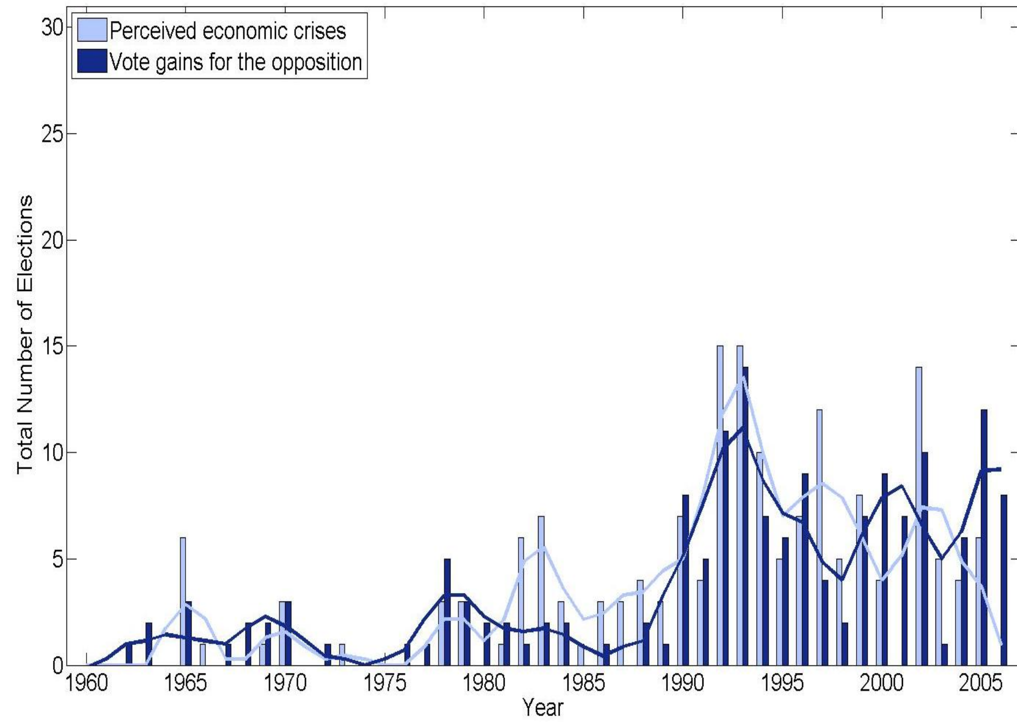


Figure 1.7: Were there Vote Gains for the Opposition During Perceived Economic Crises?

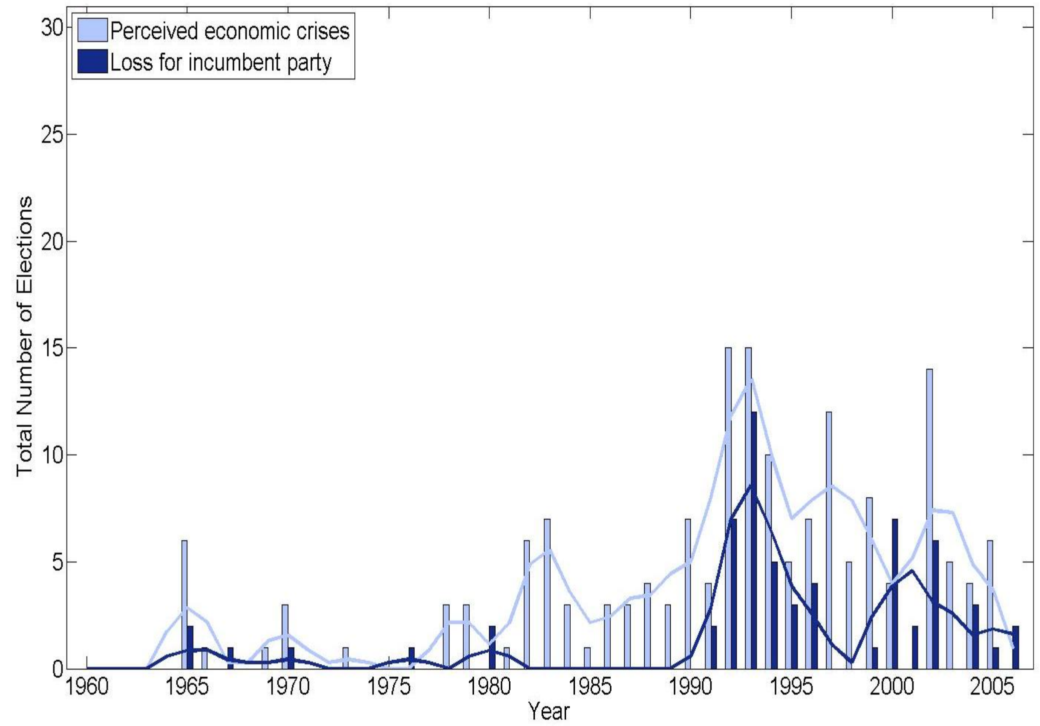


Figure 1.8: Did the Incumbent Party lose During Perceived Economic Crises?

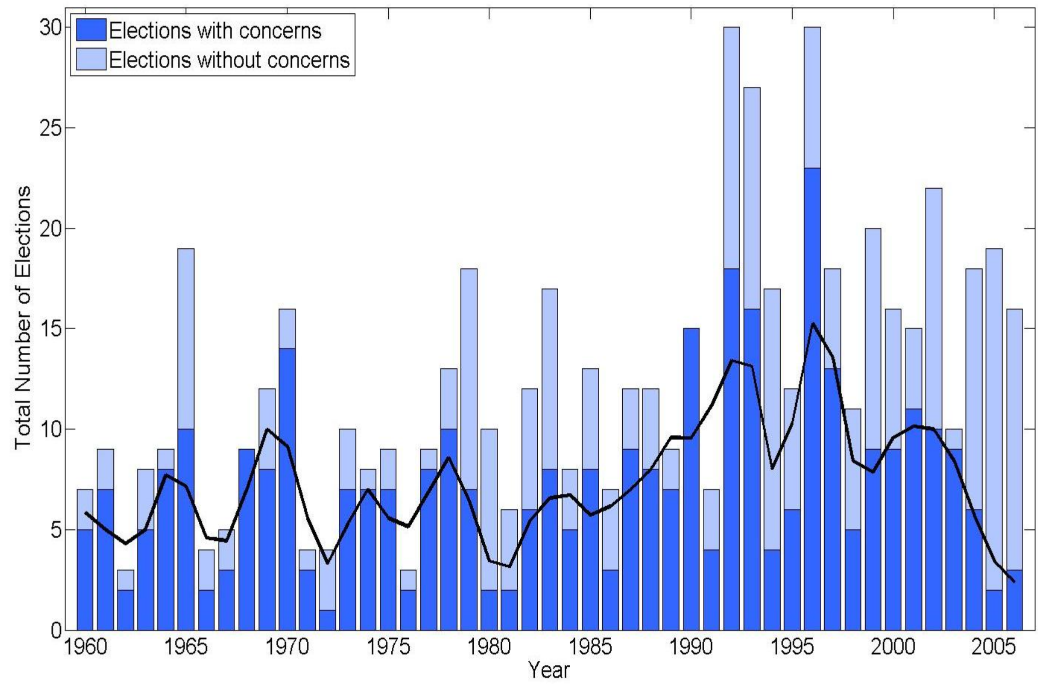


Figure 1.9: Proportion of African Elections with Concerns for Freedom and Fairness

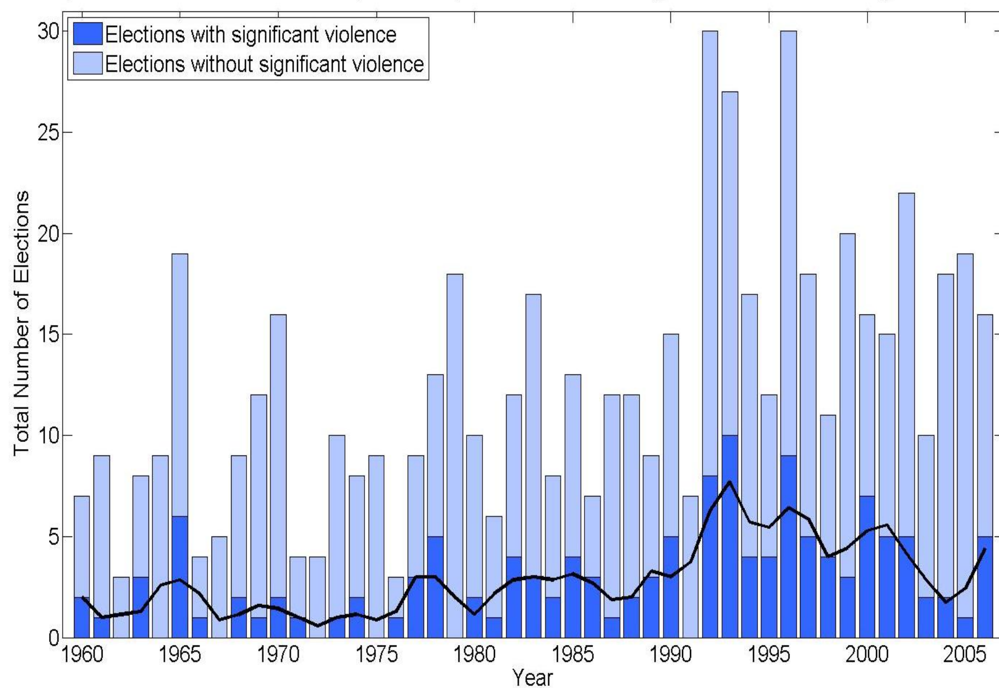


Figure 1.10: Proportion of Total African Elections with Occurrence of Significant Violence Involving Civilian Deaths

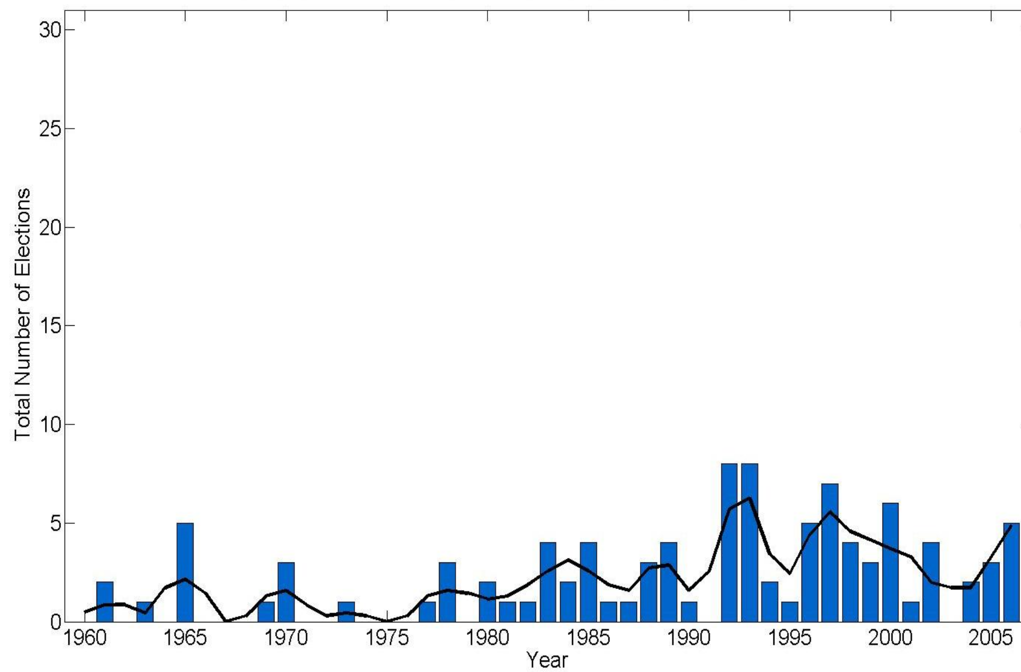


Figure 1.11: Occurrence of Riots of Protests After Elections in Africa: 1960-2006

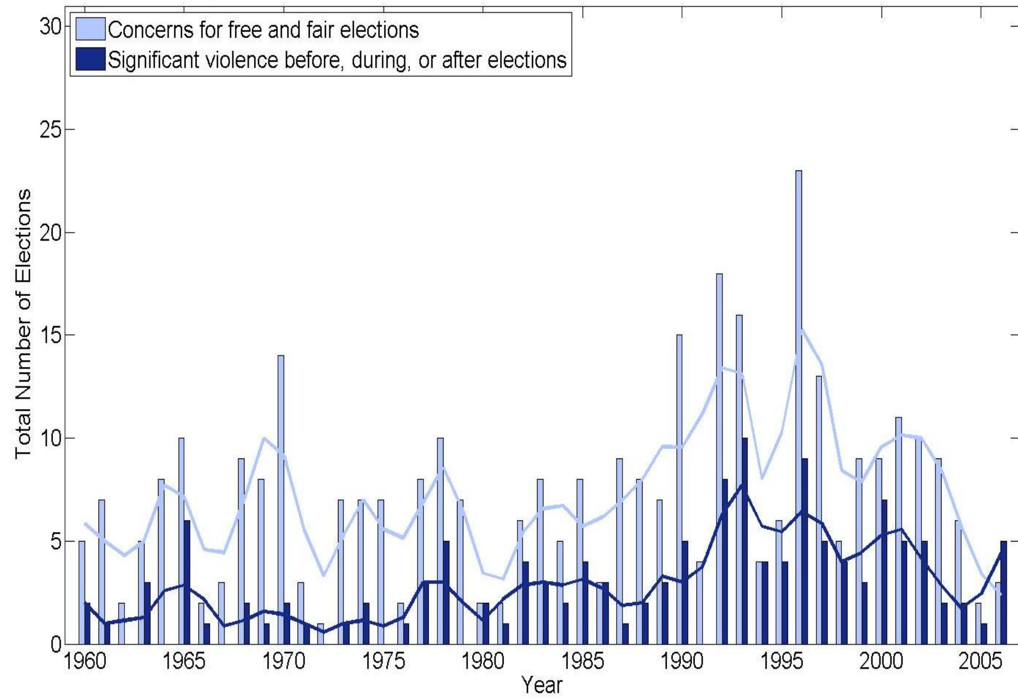


Figure 1.12: Concerns for Free and Fair Elections with Significant Violence

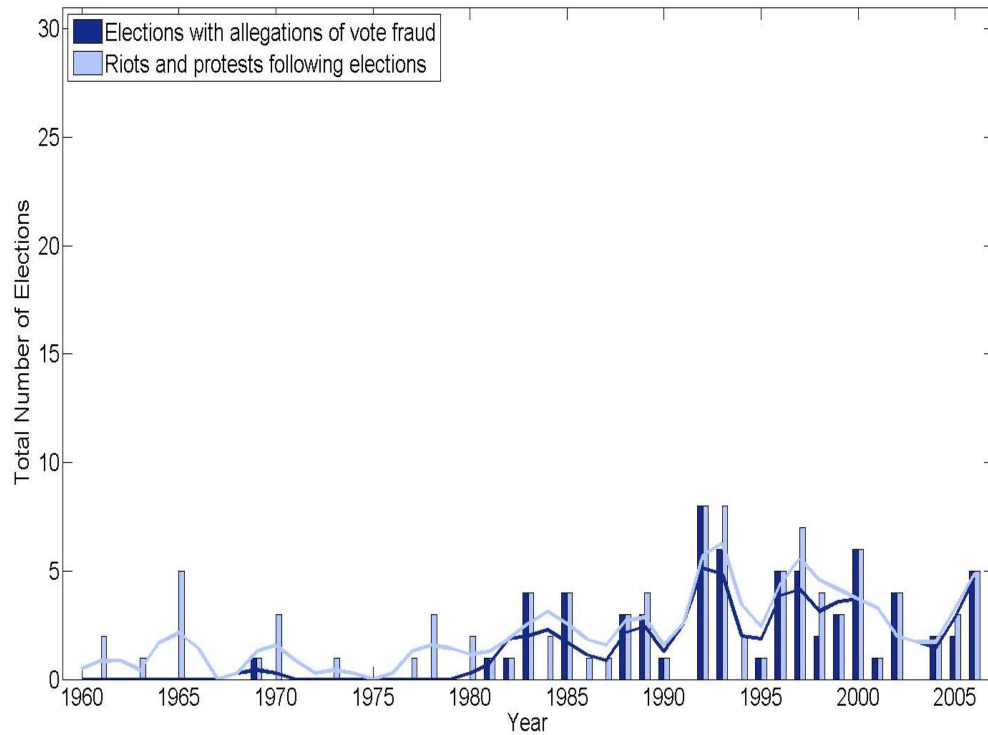


Figure 1.13: Were there Riots and Protests following Elections with Allegations of Vote Fraud?

Chapter 2

Voting Behavior and the Demand for Political Accountability in Kenya

1. Introduction

Do Kenyans use their votes to strengthen lines of political accountability—or do other considerations, like ethnicity, explain candidate support? The standard approaches to voting in Africa advocate for the supremacy of ethnicity in explanations of vote choice. Africans use their vote to express group solidarity or to avoid negative punishments from non co-ethnics (Dickson and Scheve 2006; Horowitz 1985; Rabushka and Shepsle 1972). Voters may experience fear of or hold prejudices towards ethnic strangers (Huckfeldt and Kohfeld 1989; Kinder and Sears 1981; Mendelberg 2001; Reeves 1997; Sniderman et *al.* 2000), use ethnicity as an informational short-cut to predict the flow of patronage goods (Bates 1983; Chandra 2004; Posner 2005; Wantchekon 2003), and/or the implementation and direction of policy (Ferree 2011; Mattes 1995). Given scarce information on performance or issues, voters decide based on knowing the ethnic identity of candidates or party labels (Chandra 2004; Posner 2005).

Kenya's 2007 presidential election appears to reinforce this general reasoning. Ethnicity and vote choice frequently correlate in Kenya. Results from this election prove no different— challengers received overwhelming support from their co-ethnics. As Table 1 shows, President Mwai Kibaki received 94 percent of Kikuyu support, Raila

Odinga received 98 percent of Luo support, and Kalonzo Musyoka received 85 percent of Kamba support. Moreover, many observers see the fighting that followed the disputed results as evidence that elections are zero-sum contests for ethnic domination. Scholars typically treat Kenya as an extreme case of an ethnicized political system in which lines of identity structure political support for parties or individual candidates. Similar to other fragile and divided societies, political accountability means little more than accountability to one's ethnic group in Kenya.

Table 1 here

But there are strong reasons to suspect that ethnicity may not form the only, or in some cases the most important, basis for vote choice. If a Kenyan presidential election turned into an ethnic headcount, no candidate could win. The largest of Kenya's roughly forty ethnic groups, the Kikuyu, comprise only 22 percent of the population; the next, the Luhya, only 14 percent (Government of Kenya 1989). Table 1 shows that the combined ethnic proportions of the three main candidates form 46 percent of the population. 54 percent of the electorate did not field a co-ethnic presidential candidate. This demographic pattern holds for many states in Africa: countries do not have dominant or permanent ethnic majorities, but rather a constellation of smaller groups.

Additionally, the electoral rules of Kenya require candidates to garner diverse regional support. Beyond winning a plurality of the vote nation-wide, a presidential candidate must also win 25 percent of the vote in any five of eight provinces. Given the geographic concentration of ethnic groups within provincial boundaries, this requires non

co-ethnic support. As a result, Table 1 shows that 52 percent of Kibaki's total vote share came from his co-ethnics, but nearly half (48 percent) came from ethnic strangers. This pattern is more striking for Odinga: only 26 percent of his vote share resulted from co-ethnic support and nearly three-fourths (74 percent) came from others. Most Kenyans vote across ethnic lines in presidential races. Given these realities, predicting electoral outcomes in Kenya is not simply a function of counting heads.

In receiving and casting ballot, politicians and voters face a similar set of challenges. Politicians must "shore up the base" of voters who are likely to support them given shared identity, as well as appeal to voters beyond this base. African politicians know that getting out the co-ethnic vote may be a necessary strategy for winning elections, but it is rarely sufficient. Conversely, voters must adjudicate between politicians who may or may not come from their group. They no doubt have knowledge about candidates' ethnicities, but this information may only get voters so far. Voters without co-ethnics may require additional information to help them decide. And for all voters, ethnic cues may confuse as much as they clarify. The ethnic identity of candidates does not always successfully convey reliable information. For example, each of the three main parties in Kenya's 2007 election chose members of the Luhya ethnic group as their vice presidential candidates. Given these realities, ethnicity rarely forms the only, or most important, source of information that voters use when making electoral choices.

I take a new approach to explaining voting in Kenya. I synthesize prior ethnic approaches with those from voting behavior in industrialized democracies and argue that Africans access and utilize multiple information sources to help them decide their ballot choices. While ethnicity is a signal that voters consider, ethnic cues on their own are

often insufficient. I argue that voters pay attention to other sources of information, such as government performance and policy issues raised in campaigns. Performance means the delivery of needed public services and jobs—which are highly visible and consequential to the lives of a mostly impoverished electorate. Performance will matter more for voters without co-ethnics in the race. Voters with co-ethnics in the race will also use information about performance, but less so. This occurs because performance evaluations are partially endogenous to ethnicity, and ethnicity and performance interact. Co-ethnics of the incumbent are more likely to view her favorably than non co-ethnics, and they are more likely to discount the relative weight of performance in their vote choice, when compared to non co-ethnics. Ethnicity and performance therefore shape vote choice in nuanced and sophisticated ways.

To understand the calculus of voting, I analogize the relationship between citizens and politicians as one of principal and agent (Kiewiet and McCubbins 1991). Performance cues help voters (principals) avoid problems of adverse candidate selection and shirking by picking better candidates and parties (agents) (Manin, Przeworski, and Stokes 1999). Using information about performance as a source of sanctioning allows voters to monitor politician's behavior in office, re-electing those who perform well (Fiorina 1981). Over time, this should induce better performance and policy outcomes from politicians as they improve their behavior anticipating having to win re-election. Evaluations of performance do not exist in a vacuum, however. Much like partisanship colors perceptions of candidate performance in industrialized democracies (Bartels 2002; Jacobson 2007), ethnicity may also provide a perceptual screen for how voters assess their co-ethnics. Even though every voter has an ethnic identity, these identities will not

always bias performance evaluations, especially when assessing candidates from other ethnicities. Instead, ethnicity likely tempers performance evaluations for voters assessing co-ethnics who are also incumbents— that is, candidates who have records. This chapter indicates that elections serve as important sources of political accountability and voters take them seriously, even in divided and poor societies where the information environment is scarce.

In this chapter, I present results from two new methods to the study of the African voter. First, I designed and implemented a nationally representative exit poll of 5,495 respondents conducted on election days as voters left polling centers. To my knowledge, this exit poll was one the largest ever implemented in Africa and the only one to specifically investigate voting behavior. The survey included questions regarding government performance, the economy, service delivery, policies, the respondent's demographic profile and vote choice. Responses allow me to investigate the variegated role of ethnicity, performance, and campaign issues towards structuring the vote. Second, I utilize an experiment embedded within the exit poll that randomizes both ethnic and performance cues in probing support for a fictional candidate.

Both methods have distinct advantages. Correlating standard questions on ethnicity, performance, and campaign issues with vote choice helps to establish whether relationships exist between various attitudes and support for specific candidates. With a large and nationally representative sample of actual voters, results allow me to project patterns of candidate selection to the Kenyan voting population generally. The large number of respondents also allows for robust investigations into the role of ethnicity and performance within sub-samples of the survey. However, I show that this technique

demonstrates that performance evaluations are at least partially endogenous to ethnic identity. This makes measuring their relative salience difficult. To overcome this challenge, I include the survey experiment. An experiment provides better causal identification of ethnic and performance treatments on vote choice. Random assignment to treatment helps to eliminate fears of omitted variable bias. The design also allows for a more rigorous test of the relative salience of ethnic and performance cues. Combining strengths of external and internal validity, both methods allow a more complete and nuanced picture of the Kenyan voter than either on its own.

Enumerating a survey on election day holds additional advantages over household surveys conducted outside of the context of an election. An exit poll takes place right after an individual casts a ballot—when issues of ethnicity, performance, and the campaign are their most salient. Many surveys in non-electoral periods in Africa, such as the multi-country and multi-year Afrobarometer, do not necessarily reflect the choices that voters face in an election, including knowledge of the individual candidates or their ethnicities, the parties running, or the performance and policy issues germane to the campaign. For example, Eifert, Miguel, and Posner (2010) find that citizens tend to indicate stronger feelings of ethnic identification closer to elections. Moreover, enumerators can only deliver an exit poll to voters, whereas individuals frequently misreport if and whether they voted in household surveys. Finally, respondents on a household survey can always change their minds closer to actual voting, especially if campaigns convey new information and voters are open to persuasion. All of these suggest that exit polls can provide an important tool in painting a more complete picture of African voting behavior.

To preview results from my exit poll and survey experiment, while voters with co-ethnics in the race are likely to select them, ethnicity does not completely determine vote choice. Voters also care about the provision of public services. They reward good performers and sanction poor performers, even their co-ethnics. Opposition candidates do well by campaigning on issues that matter to voters and stressing the policies they would enact if elected. Incumbent President Mwai Kibaki did not win only on the basis of his co-ethnic Kikuyu votes, performance was critical. Issues and policies also figured centrally in Raila Odinga's campaign and explain a significant component of his support. My results also speak to the ways in which ethnicity and performance interact. I find that performance evaluations are partially endogenous to ethnicity, especially for Kibaki's co-ethnic Kikuyus. Additionally, voters may discount the importance of performance of their co-ethnic incumbent: Kikuyu voters were more likely to discount performance when assessing Kibaki than non-Kikuyu voters. Ethnicity did not consistently color perceptions of performance for other groups.

Results from the survey embedded experiment provide an important and additional set of findings focused specifically on the relative salience of ethnic and performance cues. While about a fifth of Kenyans cast their ballots on the basis of just candidate's ethnic identity, over 70 percent included government performance in their calculus of voting. Voters with a co-ethnic in a race favor their own, but some will vote across ethnic lines for good performers. Ethnic groups without a co-ethnic champion in the race had mixed responses to ethnic cues, some using them strongly but most not, relying instead more heavily on performance cues. These results support the argument

that many citizens do not choose their leaders by ethnicity alone, even in a political context viewed as highly ethnicized as Kenya.

My findings regarding voting behavior contribute to an understanding of elections in new democracies as a core component to establishing linkages between citizens and politicians. Voters demand accountability at the ballot box, and reward politicians who prove responsive. While some voters select on ethnicity alone, and ethnicity can color perceptions of performance, voters employ a diverse set of information sources to help them decide, especially performance and policy issues. Kenyans are sensitive enough to performance to undermine the claim that the election was simply an ethnic headcount. My results contribute to a growing literature on the importance of non-ethnic drivers of political support in Africa (Arriola 2008; Bratton, Mattes, Gyimah-Boadi 2005; Bratton and Kimenyi 2008; Ferree and Horowitz 2010; Levi and Sacks 2009; Mattes 1995; Posner and Simon 2002; Stasavage 2005; Youde 2005).

This chapter proceeds as follows. In the next section, I lay out my approach to understanding African voting behavior. In Section III, I provide background to the presidential race in the Kenya, and the performance, ethnic, and campaign issues discussed in the race. In Section IV, I examine the determinants of ethnic voting with the exit poll. Section V presents the survey experiment, and Section VI concludes.

2. Theoretical Foundations: An Information Approach to Voting

To explore the micro-foundations of choice for African voters and their demand for political accountability, I advance a principal-agent and information theory of voting. Voters (principals) require information to select, monitor, and reward/punish politicians (agents) in order to produce better performance and policy outcomes. To do so, voters incorporate information about the ethnic identities of candidates, their records in office or likelihood of doing well in the future, and the campaign issues and proposed policies that matter most to them. In this section, I first review approaches that focus on the importance of information on ethnic identification. Next, I provide my approach which focuses on the various information sources available to Kenyan voters, and how they use them to decide.

Information Scarcities and Ethnic Voting

A central barrier to political accountability in new democracies involves the information environment. Information scarcities directly relate to the ability of citizens to properly screen and select good politicians, as well as monitor their behavior in office. As information problems increase, so does the likelihood of adverse candidate selection and shirking (Kiewiet and McCubbins 1991). The leads directly to the under-provision of public goods, corruption, and rent-seeking (Besley and Burgess 2002; Stromberg 2004; Adsera, Boix, and Payne 2003).

To overcome information scarcities, voters take cognitive short-cuts and rely on cues that help to project how a politician might behave. Building on the work of Downs (1957), Popkin et *al.* (1976) and Popkin (1994) engineer the theoretical development of "low information rationality," in which voters make reasoned decisions in information

scarce environments with cues. “Cues enable voters to call on beliefs about people and government from which they can generate or recall scenarios, or ‘scripts’” (Popkin 1994: 16). Early scholars of American voting noted that because voters lack information about basic issues and policy differentials between parties, they rely heavily on partisan cues to help them decide (Berelson et *al.* 1954).

In emerging democracies lacking a history of stable parties like Kenya, the ethnic identity of candidates may provide an important cue to voters. Even before Africa’s transition to elections, ethnic groups had histories of interactions that voters recall in the present. The information conveyed by the ethnic identity of candidates could hold importance to voters in deciding for whom to vote for a variety of reasons. It may allow them to express their social identity (Dickson and Scheve 2006; Horowitz 1985; Rabushka and Shepsle 1972), fear or prejudice towards ethnic outsiders (Huckfeldt and Kohfeld 1989; Kinder and Sears 1981; Reeves 1997; Sniderman et al. 2000), or determinations about the distribution of patronage and goods (Bates 1983; Chandra 2004; Posner 2005; Wantchekon 2003), or predict policy stances and implementation (Dawson 1994; Ferree 2006, 2011). Ethnic identity suggests relevant information about what groups a person will favor and exclude, and may provide guidance to a person’s otherwise unobservable traits, such as trustworthiness and competence (Foster and Rosenzweig 1993; Fafchamps 2004). If voters think that group membership affect their individual prospects, they will rely on ethnic cues (Dawson 1994; Ferree 2011). Citizens in new democracies may be especially prone to use ethnic cues given fluid parties and new sets of electoral institutions for which they may not hold familiarity (Chandra 2004, Birnir 2007). From this perspective, voters use the ethnic identification of candidates as

an information short-cut and elections amount to headcounts, where electoral returns reflect the ethnic census (Chandra 2004; Ferree 2006, 2011; Horowitz 1985).

Scholars have applied these insights on the role of ethnic cues with empirical applications from emerging multi-ethnic democracies. Chandra (2004) argues that voters in India easily determine the ethnic identity of candidates based on their last names, suggesting that voters will privilege ethnic cues over others. Posner (2005) argues that Zambian voters use ethnicity to judge the credibility of promises made by politicians to deliver patronage in a system where voters have a hard time monitoring the performance of leaders. Looking at transitional elections from non-democracy, Birnir (2007) argues that ethnicity provides the most stable cue for voters since other kinds of cues, such as party, are nonexistent or undeveloped. Ferree (2006, 2011) explores how voters in South Africa use racial identity as a cognitive short-cut to help predict the policies parties will take in office.

The conclusions from this literature underscore two important points. First, voters have limited information to rely upon when deciding for whom to vote; and second, ethnicity provides the most efficient cue given these information scarcities. If voters can identify the ethnic identity of a candidate—which surnames convey in many African countries, including Kenya —voters will decide based on ethnicity lacking information on performance or policies (Chandra 2004; Posner 2005). Voters with co-ethnics in the race will select them, and voters without a co-ethnic will still vote according to some ethnic pattern, particularly with respect to what group puts them in a winning ethnic coalition (Bates 1983; Hardin 1995; Chandra 2004; Posner 2005).

While this literature alerts us to the important information that ethnicity provides, ethnicity may not offer the only or most important source of information to voters. Electoral rules frequently require politicians to appeal to voters beyond their core ethnic supporters, and voters must frequently vote across ethnic lines when their groups do not field co-ethnic candidates. Ethnic information also does not always provide a clean picture of who candidates are or what they will do. Members of the same ethnic group could support various parties, and send contradictory signals to their ethnic brethren. Moreover, not all co-ethnics are likely to deliver on promised goods. If co-ethnics ever fail to deliver, do voters still vote for them, or do they switch support? Non co-ethnics could also succeed at delivering. For example, Hajnal's (2007) study of voters in America showed that under well-performing black political leadership (city mayors), whites changed their voting behavior and attitudes towards blacks, demonstrating more moderation and willingness to vote across racial lines.

My Approach

I explore the determinants of voting focusing on a wider range of information that voters use. I depart from ethnic approaches where information scarcities drive voters to use ethnicity as the sole or most important source of information. I argue that voters acquire and require other sources of information to help them decide. Besides the ethnic identity of candidates, government performance as well as information learned in campaigns on issues and policies form the basis of choice for Africans. Africans are informed about how well their governments perform, as well as the issues and policies that candidates propose and debate in campaigns. Ultimately, performance cues prove

more valuable to voters than ethnic cues in helping to avoid problems of adverse selection and agency slack created by political leaders. Overtime, this preference should induce better performance and policies helping to spurn political reform and economic development.

Incumbent performance is important to electoral success in established democracies and poorly performing leaders are not likely to return to office (Lanoue 1994; Key 1966; Krause 1997; Nickelsburg and Norpth 2000; Johnson and Pattie 2001; Fearon 1999; Ferejohn 1986; Fiorina 1981; Powell 2000). Performance is a perception that varies over individuals and for those individuals it also varies over time (Fiorina 1981). It may or may not reflect objective indicators of performance (Downs 1957), but is rather a subjective assessment of individuals about the incumbents contesting office. Views of performance can prove highly malleable and change over the course of incumbency, as well as once candidates politicize performance in the context of campaigns.

Retrospective models typically examine "economic voting," where voters choose the party that best represents their economic interests (Duch and Stevenson 2007). Many political economy studies from industrialized democracies use macroeconomic indicators, such as employment or inflation rates, to measure performance (Boix 2000; Erikson 1989; Hibbs 1987; Przeworski 2003; Scharpf 1987). These economic conditions may matter to an individual's pocketbook (egotropic voting), or to their socio-economic group and country more generally (sociotropic voting) (Fiorina 1981; Kinder and Kiewiet 1981; Palmer and Whitten 1999; Powell and Whitten 1993; Remmer 1993; Roberts and Wibbels 1999).

A growing body of work looks at the role of performance in Africa. In a survey of Ghanaian voters, Lindberg and Morrison's (2008) find that voters report more concern with retrospective and prospective evaluations of performance and policy than with clientelism or co-ethnicity. Relatedly, Youde (2005) uses Afrobarometer data to show that retrospective and prospective economic evaluations correlate with government approval ratings in Ghana. Stasavage (2005) argues that the introduction of competitive elections in Uganda spurred the creation of universal primary education. Arriola (2008) asserts that economic conditions across Ethiopian districts helped to explain opposition support. Bratton and Kimenyi (2008) find support that some performance factors besides ethnicity helped to explain the vote in Kenya's 2007 election. Ferree and Horowitz (2010) show that in Malawi, ethno-regional identities have declining influence in determining party support over time relative to presidential performance and policies. Hoffman and Long (2012) use exit poll data from Ghana to show that perceptions about parties and government performance predicted vote shares for president and members of parliament more than ethnicity.

What "performance" means in the African context may not be straightforward, however. For example, using the multi-country Afrobarometer study, Bratton, Mattes, and Gyimah-Boadi (2005) find that while positive evaluations of a president's performance increased the likelihood that a voter selected the winning party, perceptions about the nation's economy are *negatively* associated to vote choice. This suggests the curious outcome that voters are more likely to support a winning party when the incumbent has mismanaged the economy. Bratton and Kimenyi (2008) investigate voting in Kenya, and find that some performance indicators explained support for incumbent

President Mwai Kibaki. However, the researchers asked questions on Kibaki's performance relative to his near-universally poorly performing predecessor, Daniel arap Moi (who left office in 2002), as opposed to his general record in office or matched against his contemporaneous presidential challengers in 2007.

I depart from the traditional macroeconomic indicators typically employed in the literature to study economic voting in the OECD. Lacking clear or salient class divides in Africa, aggregate indicators like the growth or inflation rate may not prove as vital to predicting support across the electorate. I argue that citizens form evaluations of politicians based on their ability to provide needed public services. Services, such as health clinics, roads, schools, security, and employment opportunities provide a reliable measure of performance because they are highly visible, easy to identify, and economically consequential to the lives of citizens in underdeveloped countries. For example, even with recent robust growth rates across Africa, rampant unemployment and poverty remain critical issues for many citizens. Performance in Africa relates directly to what matters most to citizen welfare.

Electoral decisions do not force the choice of whether to re-elect an incumbent based on performance in isolation from consideration of the qualities of challengers. Voters must also choose between potential candidates, some without records, and assess how candidates will fare in the future (Fearon 1999; Downs 1957; Lockerbie 1991; MacKuen, Erikson, and Stimson 1992). Voters care about what challengers promise in terms of performance and service delivery, even though they do not currently hold office. Besides the information that voters have regarding performance, voters also access information conveyed in political campaigns, which further updates their perceptions and

beliefs about incumbent performance, the promises made by incumbents and challengers, issue salience, and the various policy differentials of candidates. Voters learn from campaigns important information about what politicians think is important based on the issues they make salient. They assess how they think politicians will behave once elected, and therefore office-seeking candidates must carve out policy differences especially when they are challengers and do not have records to run on (Popkin 1994).

In this way, voters actively try to avoid adverse selection when choosing among a range of candidates and parties. These "prospective" theories are grounded in the assumption that evaluations of candidate qualities matter (Goldberg 1966; Hartwig et *al.* 1980; Popkin 1994), where citizens will likely vote for parties that are concerned with their issues and likely to promote policies with which they agree (Downs 1957; Page and Jones 1979; Riker and Ordeshook 1973; Stokes 1963). But African voters are still likely to be "information misers," and may not require detailed policy platforms to know which candidate best represents their self interest (Popkin 1994). Lengthy and intense campaign periods expose voters to debates about an array of performance records of various candidates that provide information important to a voter's decision-making (Horowitz and Long 2012; Hoffman and Long 2012). Focusing on the importance of prospective evaluations and campaigns falls in stark contrast to the prevailing belief that African elections are devoid of debates about substantive policy differences and issues (Burnell 2001; Di Lorenzo and Sborgi 2001; Ferree 2006, 2011; Nugent 2001; Posner 2005), based on the assumption that parties agree on issues that are salient as well as proposed policy solutions (van de Walle 2003).

Contrary to the idea that voters lack information about economic and political conditions in their country, the multi-country multi-year Afrobarometer survey demonstrates that voters have strong beliefs regarding government performance and an array of policies regarding political and economic reforms (Bratton, Mattes, Gyimah-Boadi 2005). Respondents consistently express knowledge of and opinions about performance for national and local politicians, the success or failure of various policies and attempts (or lack thereof) at reform, the existence and quality of services, and individual welfare indicators, such as household income and employment status. Media consumption patterns also support the view that voters are informed. Table 2 shows data on media consumption from my pre-election survey in Kenya.[7] The survey asked respondents "How often do you get news from the following media?" Note that the question is not just about general media consumption (which includes entertainment), but specifically probes on news. Table 2 demonstrates a very important finding: a large majority of Kenyans consume media related to the news on a frequent, even daily, basis. 91 percent of respondents receive news from radio daily, 58 percent from television, and 32 percent from newspapers. Only 2 percent receive news "hardly at all" or "never" from radio, 13 percent from television, and 20 percent from newspapers.

Table 2 Here

[7] I discuss the survey's methodology in Chapter 3. The survey was nationally-representative, conducted at 2,700 households, in took place a few weeks before the election in early December, 2007.

If Africans use information about performance and campaigns, studies of voting and political support should take place within the context of elections. In this period, the ethnic identity of candidates, the performance record of incumbents, and issues and policies proposed by electoral competitors are all salient. Surveys that ask about general support for parties or incumbents in non-electoral periods are not likely to accurately measure the importance of ethnic, performance, and policy factors that structure voting decisions. For example, Eifert, Posner, Miguel (2010) find higher levels of a respondent's feelings of ethnic attachment the closer a surveys takes place to an election. Election day surveys like exit polls help to overcome these challenges.

Ethnicity may also affect the role that performance plays in structuring vote choice, although in nuanced ways. Performance evaluations may prove partially endogenous to ethnicity, or shape the rate at which voters lend relative weight to performance in their vote choice (Ferree 2011; Mattes and Piombo 2001). Here again locating co-ethnicity between voters and candidates proves vital. Voters who match the identity of the incumbent president are more likely to discount her performance relative to voters who do not share her ethnicity. In this way, ethnicity may serve like partisan biases in performance evaluations (Bartels 2002; Jacobson 2007).

When matched together, decisions based on performance should pay higher dividends for an individual's welfare than ethnicity alone, all else equal. Relying only upon ethnic cues pays fewer pay-offs with respect to the benefits that voting ought to produce in terms of accountability, reform, and growth. If voters decide primarily or exclusively based on ethnicity, politicians are able to shirk in ways that harm voters over time, both co-ethnics and ethnic strangers. If politicians believe they will always draw

support from co-ethnics, they have little incentive to either perform well for that group, or to perform well or appeal to other groups. Relying upon performance helps to increase the likelihood that politicians will provide improvements to citizen welfare in inchoate and poor democracies.

Yet the influence of performance does not occur separately from the fact that every voter and candidate has an ethnic identity, and ethnic cues still provide information to voters. Voters with co-ethnic candidates are more likely to prefer ethnic over performance cues; voters without co-ethnic candidates will rely on ethnicity less and performance more. Ethnicity will also influence perceptions of performance—critically, ethnicity will filter how co-ethnics of the incumbent candidate evaluate performance and the discount they afford to her performance when deciding how to vote.

3. Background to the Presidential Election

In this section, I provide background to the campaign for president in Kenya's 2007 general election to frame ethnicity, performance, and policy issues. Kenya provides a propitious case in which to test hypotheses regarding voting. First, the 2007 presidential race featured three main candidates, one an incumbent and all from different ethnic groups. Second, parties and coalitions in Kenya are ephemeral and formed right before elections and dissolve or change membership after (Wanyama 2010).[8] Because parties in

[8] For example, President Mwai Kibaki's National Rainbow Coalition (NARC) split after his election in 2002 and so he reformulated his supporters into the Party of National Unity (PNU) three months before the

more institutionalized settings carry their own additional cues (Horowitz 1985; Posner 2005) (which may contain ethnic content that contradicts or overlaps with individual candidates[9]), a weak party system allows me to better isolate the effects of ethnicity and performance for candidates. Third, scholars agree that Kenya presents one of the most ethnicized political systems in Africa. It is thus a “hard case” to test hypotheses regarding performance. If performance turns out to even partially explain vote patterns in Kenya, I suspect my approach strengthens for other African cases.

The December 27, 2007 election pitted the incumbent President Mwai Kibaki running on a ticket for his newly formed Party of National Unity (PNU) against two main challengers: Raila Odinga, the leader of the Orange Democratic Movement (ODM), and Kalonzo Musyoka, leader of the Orange Democratic Movement-Kenya (ODM-K).[10] Although Kibaki, Odinga, and Musyoka had been united in the 2002 elections that brought Kibaki to power, post-election disagreements over a range of issues, including constitutional revisions, broke apart their coalition and led to the rise of three new parties contesting the 2007 elections.

From the outset, it appeared as though Kibaki could win re-election. Former President Daniel arap Moi had driven the Kenyan economy into the ground throughout the 1990s, and Kenyan citizens greated Kibaki’s initial election in 2002 with great euphoria and support for democracy (Logan, Wolf, and Sentamu 2007). Some

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2007 election. His NARC coalition also included his main 2007 rivals, Raila Odinga, and a third place challenger, Kalonzo Musyoka.

[9] For a discussion of how ethnic labels from parties and candidates may contradict each other and therefore reduce the relevance of ethnicity towards voting in Ghana, see Hoffman and Long (2012).

[10] Although there were nine presidential candidates on the ballot in total, the top three garnered a total of 99.75 percent of the vote on the exit poll. Here, I limit analysis to votes for these three candidates, paying particular attention to the race between Kibaki and Odinga, who together made up about 89 percent of the vote.

performance indicators predicted incumbency advantage. Kibaki inherited a moribund and stagnant economy in 2002 with consistently negative growth rates. By 2007 Kenya's GDP posted a robust 7.1 percent annual increase (Government of Kenya 2007). This included growth in important sectors of the economy including agriculture, services, and tourism. Kibaki also received widespread praise for delivering free universal primary education in 2003.

But while Kibaki's time in office experienced robust growth and success with education, other important issues undercut Kibaki's accomplishments. The president's greatest political vulnerability may have been the unmet expectations of many voters, and his failure to deliver on many promises. His tenure created more disparities in wealth, landing Kenya the dubious honor of ranking as the third most unequal country in 2007. While the economy had grown, economic benefits were uneven: the 40 percent unemployment rate he had inherited had not declined, and public service provision of health care, water, and security remained spotty.

Regarding corruption, Kibaki had promised to bring new political leaders in office who would eliminate the shady dealings long renown in Kenya's political system. A survey conducted by Transparency International in September 2002, just three months before that election, found that 59 percent of Kenyans found corruption to be the most important issue in the election (Otieno 2005). But Kibaki failed to prosecute a number of high profile corruption and became to be associated with the old-guard political class that

Kenyans thought they rejected in the 2002 elections (Wrong 2009). By 2007, many voters grew disenchanted by Kibaki's unwillingness to fight graft.[11]

A hallmark of Kibaki's 2002 campaign focused on the delivery of a new constitution. After a council of national leaders debated and produced a working draft of a constitution to go towards a popular referendum, Kibaki changed significant portions of it before taking it to the electorate. This encouraged the creation of the opposition "Orange" movement lead by Odinga who ultimately succeeded in defeating Kibaki's draft in the 2005 referendum. Odinga had been a fixture in national politics for decades, including his tireless campaigning for Kibaki in 2002.

Whether Kibaki had in fact lived up to his promises over a range of issues since the last election became a central fault line in the 2007 campaign. Another contentious issue to arise concerned whether Kenya should federalize. Related to failed constitutional revision, Odinga advocated a decentralized, or *majimbo*, form of government that would grant greater political and fiscal power to local units from the overly centralized Kenyan state. This issue has long proved contentious in Kenyan politics since the era of independence (Anderson 2005; Oyugi 2005). *Majimbo* not only allowed Odinga to remind voters of the failure of Kibaki to produce a new constitution in which *majimbo* would presumably predominate, but it also provided a platform in which he advocated more local control over development and service provision involving greater community-level participation. Kibaki and PNU argued against *majimbo*, labeling Odinga an ethnic "tribalist" for advocating Kenya's dissolution along ethno-regional lines.

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[11] Kibaki exemplified the failure to fight perpetrators of corruption in the highly publicized Anglo-leasing and Goldenberg scandals (AfricaFocus Bulletin 2006; Government of Kenya 2005).

Certainly ethnicity was an important feature of the election. Kenyans have longed viewed Kibaki's Kikuyu as dominant in the political and economic development of the country. The Kikuyu, from the agriculturally productive Central province region, are also Kenya's single largest ethnic group, at about 22 percent of the population. Common stereotypes label the Kikuyu as hard-working and economically savvy, yet also unwilling to share their gains with non-Kikuyus (Horowitz 1985; Wrong 2009). A number of poorer groups feel marginalized and resentful of Kikuyu dominance, especially those that joined Odinga's ODM (Cheeseman 2008; MacArthur 2008).

One of these groups includes the Luo, Odinga's tribe. The Luo generally inhabit part of Nyanza province in the western part of the country near Lake Victoria and the Ugandan border. They are mostly poor fishermen or involved in low-yield agricultural production, and while a number of influential Luos were members of President Kenyatta's coalition after independence (including Raila Odinga's father, Jaramogi Oginga Odinga), they had become increasingly side-lined in national politics. Given their marginalization and poverty relative to other groups, many Kenyans viewed them as un-electable.

Given these stereotypes, ethnic identity in Kenya conveys important sources of information and could have powerful effects on voting, as voters nation-wide may have reasons to be drawn towards or against Kikuyu or Luo candidates. It is important to note that despite these stereotypes, Kibaki received an overwhelming percentage of the vote share in 2002 (62 percent) including from Luos, and both Kibaki and Odinga received significant votes from outside of their ethnic groups (see Table 1).

With poverty, corruption, and constitutional failures to match against high expectations and the issue of *majimbo*, the public remained ambivalent about the prospects of a Kibaki re-election. On the hand, the country had succeeded economically in some respects. On the other hand, these economic gains were perhaps not sufficient, and important progress on corruption and constitutional reform fell by the wayside. Mixed results on Kibaki's objective performance, as well the potential liability of running as a Kikuyu, and whether he fulfilled promises thus motivate obtaining subjective measures across individuals to help establish the micro-foundations of choice.

4. Hypotheses, Method, and Results: Exit Poll

In this section, I specify the hypotheses on the correlates of voting behavior that I will test using questions on the exit poll. Specifically, I explore the ethnic, performance, and issue drivers of the vote.

Hypotheses

Ethnic voting

$H_{1:}$ *When a co-ethnic appears on the ballot, individuals are more likely to vote for their co-ethnic than an ethnic stranger.* This hypothesis derives from the idea that regardless of the specific content of an ethnic cue, voters match their identity with that of candidates to help them decide. Specifically, Kikuyus should support Kibaki, Luos support Odinga, and Kambas support Musyoka.

$H_{2:}$ *Respondents without a co-ethnic on the ballot will still vote according to some ethnic pattern.* This hypothesis derives from the idea that even though voters do not match the ethnicity of candidates, ethnic cues still matter and patterns mirroring an ethnic census can emerge. Specifically, voters who are not Kikuyu, Luo, or Kamba should still vote in consistent patterns.

Performance and issue voting

$H_{3:}$ *Individuals are more likely to vote for incumbents when they evaluate government performance positively and challengers when they evaluate performance negatively*. This hypothesis specifies that voters will use their information on incumbent performance to decide whether to support the incumbent or challenger. Specifically, voters with positive views of Kibaki's performance are more likely to support him, whereas those with negative evaluations are more likely to support either Odinga or Musyoka.

$H_{4:}$ *Voters will more likely choose a candidate with policies that best match their own policy preferences.* This hypothesis suggests that voters use information in campaigns to align themselves with the issues that candidates devote attention to. Specifically, Kibaki should win on issues around the economy and education, whereas Odinga should win on reform issues including unemployment, corruption, *majimbo,* and constitutional revision. Issues will matter less for

Musyoka supporters since he did not draw sharp distinctions with the other candidates.

Ethnic bias

H_5: *Voters are likely to discount performance conditional on assessing co-ethnic incumbents.* This hypothesis derives from the view that ethnicity colors how voters assess the performance of their co-ethnics. Specifically, Kikuyu voters will weigh performance less in their vote choice than other voters.

Methodology

On election day, I designed, conducted, and implemented a nationally representative exit poll. To my knowledge, this was the largest exit poll ever conducted in Africa, and the first explicitly designed to investigate voting behavior.[12] Working with Strategic Research, a Kenyan-owned research organization, Kenyan interviewers spoke to 5,495 individuals in a nationally-representative sample covering all of Kenya's 8 provinces. The survey included questions regarding government performance, the economy, service delivery, policies, candidate evaluation, the respondent's demographic profile and vote choice for civic council, member of parliament, and the president. The results I present here focus on the presidential vote.

The survey uses the Electoral Commission of Kenya's (ECK) final registration of voters. I allocated every province its proportional share of surveys given its relative

[12] The few prior exit polls conducted in Kenya and South Africa focus mainly on the process and timing of voting, without exploring the determinants of vote choice.

population of voters. I then did the same with districts, giving every district in Kenya its proportional number of surveys. Within districts, I allocated interviews to each constituency, and within each constituency randomly selected polling centers. Constituencies are conterminously nested within districts, and districts within provinces. Interviewers randomly selected every 5th voter exiting the polling center. Since polling centers included multiple streams given alphabetically ordered voter registration lists, enumerators conducted interviews at the polling center's exit, rather than streams. All Kenyan voters thus had equal probability of selection. Following best practice for exit polls, enumerators conducted between 12-25 interviews per polling center (Levy 1983). Interviews took roughly six to eight minutes to complete, were delivered in English or Swahili, and the survey had an 82 percent response rate.

Results

If the ethnic identity of candidates conveys important information to voters, individuals with co-ethnics in the race should select that candidate over a non co-ethnic. If voters do not field co-ethnics, they should still vote according to some pattern, perhaps to put themselves in a winning coalition. In both cases, elections should produce bloc-voting and ethnic headcounts.

Table 3 expands on Table 1 and shows candidate support for the largest ethnic groups in Kenya from the exit poll. The first three rows of Table 3 match voters in Kenya with their co-ethnic presidential candidates. Kibaki draws 94 percent support from his co-ethnic Kikuyus; Odinga 98 percent from his co-ethnic Luo, and Musyoka 85 percent from his co-ethnic Kamba. There is thus a high degree of alignment between co-ethnic voters

and candidates, even though it is not universal. These results give initial support to Hypothesis 1 that voters will choose a co-ethnic when one is on offer.

Table 3 here

The rest of the rows in the table under "Ethnicity" present results from Kenya's other main ethnic groups. Some of these groups tend to vote as blocs while others divide their support more evenly. The Meru vote went overwhelmingly for Kibaki, which is not surprising since they are close ethnic kin to the Kikuyu. Majorities of the Luhya and Kalenjin supported Odinga and ODM. On the surface, these patterns are not easy to explain. All three candidates featured Luhya vice presidents, and William Ruto of ODM and former President Moi of PNU campaigned hard for their Kalenjin co-ethnic vote. The Kisii, Mijikenda, and Maasai split their votes more evenly between Kibaki and Odinga, defying predictions regarding bloc-voting. These findings provide only mixed support for Hypothesis 2 that voters without co-ethnics will still vote according to some ethnic pattern. While several groups failed to coordinate and vote as a bloc, this does not mean definitively that ethnicity does not matter for these voters. But it does suggest that ethnic cues were not sufficiently clear to facilitate voter coordination.

The results in Table 3, "Performance," also provide strong evidence in favor of the importance of performance and issues towards voting. Odinga and Musyoka voters held more negative perceptions than Kibaki supporters of the nation's economy, their family's economic situation, the provision of central government services, security,

health, and whether Kibaki fulfilled promises since the last election.[13] For example, only eight percent of Odinga supporters viewed the central government's performance in providing services positively, whereas 60 percent of Kibaki voters did. 62 percent of Kibaki supporters had positive evaluations of Kenya's economy, and 92 percent of Odinga supporters had negative perceptions. Interestingly, majorities of both Odinga (90 percent) and Kibaki (65 percent) voters had negative evaluations of their own family's economic situation, suggesting that citizens may prove more sensitive to the state of the overall economy than their personal pocketbooks when it comes to structuring vote choice. In total, these results give strong support for Hypothesis 3.

Kenyans also appear to choose candidates based on the relevance of issues debated by candidates in the campaign, echoing studies of American exit polls (Abrajano, Alvarez, and Nagler, 2008). Table 3, "Issues," shows that when comparing policy preferences with vote choice, Kenyans selected candidates based on their perceived strengths and the messages that they had highlighted in their campaigns. First, I asked voters whether they thought it was more important for the next government to prioritize economic growth or employment. Given Kibaki's strength in having provided a robust growth rate (7.1 percent) at the time of the 2007 election, but Odinga's campaign focus on the continued lack of employment opportunities, I projected that Kibaki supporters would prove more sensitive to growth and Odinga's sensitive to employment. This turns

[13] See Appendix 1 for the full wording of questions from the exit poll and their corresponding variable names in subsequent tables.

out to be the case, with 54 percent of Kibaki voters preferring growth, while 56 percent of Odinga voters selecting employment. This provides support for Hypothesis 4.[14]

Table 3, "Issues," also shows a breakdown of vote choice based on question that asked voters what issue mattered most in how they decided for whom to vote. Given the various proposed policies and themes stressed in the campaign, I expect different candidates to enjoy different strengths. Voters who found the economy and education the most important issue were more likely to support Kibaki, while those who found employment, *majimbo*, corruption, and constitutional revision important leaned towards Odinga. Recall that Kibaki's campaign trumpeted what he considered his two largest successes: economic growth and the delivery of free primary education (he also promised free secondary schooling if elected). Odinga's voters responded to his campaign strategy of attacking Kibaki's failures, such as reducing the unemployment rate, the level of corruption, and achieving constitutional revision. The contentious issue of *majimbo* also played in Odinga's favor. These findings provide additional support for Hypothesis 4.

Table 3 shows results from an additional question regarding a general prospective candidate characteristic on whether voters preferred experience or new ideas in candidates. Voters may prefer a candidate to demonstrate experience as a measure of future competence, or they may prefer that a "change" candidate who brings new ideas to government.[15] The tone of the campaign was such that Kibaki was labeled the experience

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[14] Answers on this question also provide some early evidence that an ideological divide may emerge within the Kenyan electorate. Scholars typically infer economic growth as a right-of-center answer and employment as left-of-center.

[15] In addition to the tenor of the Kenyan campaign, the inspiration for this question came from polls in the early primary states for the Democratic Party nomination in the United States in 2007. Hillary Clinton promoted her experience and competence in government, similar to Kibaki; whereas Barack Obama labeled himself the "change" candidate, similar to Odinga.

candidate, painting himself the avuncular incumbent; while a younger Odinga (and to a lesser extent Musyoka) became associated with change and new ideas. Following the tenor of the campaign, a majority of Kibaki supporters desired experience (56 percent) while a majority of Odinga supporters (74 percent) and Musyoka (75 percent) wanted new ideas, lending additional support to Hypothesis 4.

Multivariate Models

In Table 4, I turn to a multivariate logit model predicting a vote for the incumbent Kibaki, which takes a value of 1 if true and a 0 otherwise.[16] Model 1-5's key independent variables are perceptions of government performance over the measures introduced in Table 3: government services, national economy, family's economic situation, health, security, and Kibaki's promises. I also include a number of standard controls for models of voting, including the ethnic groups of respondents that match the three main candidates. In the next table, I add additional controls for the other ethnic groups.

These independent variables are coded 1 if they retain positive values (for performance variables, this includes the aggregation of "excellent" and "good" responses), and 0 with negative values (for performance variables, aggregation of "just fair" and "poor"). I code them in this way to distinguish generally positive and negative responses.[17] I believe this is a better method than transforming them to ordinal responses since the distance between categories is not consistent. In regressions not show, I also run

[16] "Refused to answer" responses are dropped from analysis.

[17] Even though I collapse positive and negative answers (i.e., "excellent" and "good" become positive, "just fair" and "poor" become negative), it is important to allow respondents more graded choices than "good" or "bad" to allow for nuance.

the analysis using ordinal variables for performance and results are consistent with what I present here. Robust standard errors are clustered at the polling station level, which accounts for intra-class correlation of responses based on interviewers and precinct locations where respondents vote.

In Table 4, the first thing to note is that regardless of the performance variables included, the ethnic controls Kikuyu, Luo, and Kamba all remain significant, underscoring support for Hypothesis 1 that having a co-ethnic in the race impacts choice. Kikuyus hold positive dispositions towards Kibaki, while Luos and Kambas hold negative disposition Kibaki and in favor of their co-ethnic Odinga or Musyoka.

Table 4 here

The second set of findings to note regards the three main performance variables, Government Services, National Economy, and Kibaki's Promises.[18] They remain highly significant in models with ethnic controls, supporting Hypothesis 3. National Economy remains more consistently and highly significant than Family's Economy, again suggesting that Kenyans are more sensitive to how well incumbents impact the economy as a whole, rather than blame the incumbent for their own personal economic fortunes.

In Model 6, I introduce an issue variable from Table 3: Economic Growth. Economic Growth takes a value of 1 if voters think that the government should prioritize economic growth, and a 0 if they think so about employment. As the results show, those voters who answered economic growth were more likely to vote for Kibaki. In terms of

[18] Given occasional collinearity of some performance variables, various models are specified.

prospective characteristics of candidates, the variable Experience measures an important candidate quality: whether voters desired experience or new ideas in candidates. Following the tenor of the campaign, the positive and significant coefficient for Experience in both models show that those voters who valued experience mostly preferred Kibaki, whereas those who wanted change and new ideas supported a challenger, either Odinga or Musyoka. Both Economic Growth and Experience remain significant across specifications in Models 6-7, lending support to Hypotheses 3 and 4.

Control variables also contribute to our understanding of Kenyan voting. Urban respondents are less likely to support the incumbent than their rural counterparts, as are more educated voters. Kibaki was successful with older voters, while the challengers attracted the youth vote. This may suggest an important coalition for political challengers: that more educated, urban, and youthful voters are prone to anti-incumbency.

Table 5 replicates all of the models in Table 3 but adds controls for the other ethnic groups from Table 3. Even if voters are not co-ethnics of candidates, their ethnicity could predict whether or not they supported Kibaki, or his challengers. The results on ethnic, performance, and issue variables are largely the same as Table 4 with the inclusion of these additional ethnic controls. The addition of the other main ethnic groups in Kenya provides only mixed evidence in support of Hypothesis 2 that ethnicity will predict candidate support among non co-ethnics. While the Kalenjin are consistently and strongly predisposed against Kibaki, the Luhya are inconsistently and weakly so. The Meru are strongly in favor of Kibaki, whereas the Mijikenda, Maasai, and Kisii do not demonstrate consistently significant patterns of support.

Table 5 here

To help establish a more intuitive understanding of how these ethnic and performance variables structure vote choice, Table 6 simulates predicted probabilities from Model 3 in Table 4 using *Clarify* (King, Tomz, and Wittenburg 2000). The dependent variable remains a vote for the incumbent Kibaki. The columns in the Table 6 represent whether or not voters had positive or negative evaluations of performance. The rows represent whether or not a voter shared ethnicity with the incumbent. The cells show the mean likelihood of a vote for Kibaki with 95 percent confidence intervals in parentheses. Controls are held at their means. I simulate probabilities of Kibaki support first by changing whether the performance variables are positive (left-hand cells) or negative (right-hand cells); as well as whether the voter and Kibaki are co-ethnics (Kikuyus in top cells, non-Kikuyus in bottom cells).

Table 6 here

The upper left cell represents Kibaki's easiest group to capture: his co-ethnic Kikuyus who have positive performance evaluations. Given this scenario, he wins the vote with near certainty at 99 percent. The bottom right cell represents his most difficult constituency: voters who are not co-ethnics and have negative evaluations. He loses this group overwhelmingly with only 7 percent of the voters likely to support him.

The upper right and bottom left cell present the most interesting findings with regard to the importance of ethnicity and performance. The upper right cell represents

Kibaki's co-ethnics who have negative performance evaluations. Such perceptions decrease support among Kikuyu from 99 percent to 55 percent. Thus, Kibaki loses nearly half of his co-ethnic support when he performs poorly. Table 6 shows that the effects of co-ethnicity are much higher for poor performers. While a good performer gets a large majority of support, poor performers really only receive votes from their group, and then not all of them. While some co-ethnics support him no matter what, Kibaki's success at winning office is still determined by performance, even as viewed by co-ethnics.

The bottom left cell represents people who have good evaluations of Kibaki's performance, but are not co-ethnics and still vote for him. Kibaki does extremely well with these voters, winning nearly 82 percent of their support. When comparing the upper left to bottom left cell, Kibaki does not need the Kikuyu vote assuming other ethnic strangers think he has performed well. Considering that only 22 percent of Kenya's population is Kikuyu, comparing the upper right hand cell to the left hand cells, co-ethnicity alone is not enough for Kibaki to gain re-election. He must perform well for groups beyond his own.

The total effect of switching performance has a greater impact on Kibaki's chances than switching co-ethnicity. Not all co-ethnics with bad performance evaluations will support him, and not all non co-ethnics with good evaluations will refuse to support him. The implications of these findings profoundly challenge the sufficiency of ethnic theories of voting in Africa. In a country where no one group can dominate the electorate, politicians must win support from non co-ethnic voters and they do this by performing well in office.

Does ethnicity shape the role performance?

Of course, performance evaluations may be endogenous to ethnic identity. Ethnicity and performance may also interact. Both of these realities make it difficult to distinguish their independent role in forming the vote. Much like partisanship in industrialized democracies including the US (Bartels 2002, Jacobson 2007), a person's ethnicity could color how voters view their co-ethnic incumbent's performance (Ferree 2006, 2011; Mattes and Piombo 2001). Are performance evaluations simply the result of co-ethnicity? Do co-ethnics discount their leader's performance?

As a first cut of the relationship between ethnicity and performance, I cross-tabulate all of the major ethnic groups by performance evaluations listed in Table 3 in Table 7. This allows me to investigate whether performance evaluations simply result from ethnic identity. If this is the case, Kikuyus should have overwhelmingly positive evaluations of government performance, whereas other groups will not.

Table 7 here

Table 7 shows that while a majority of Kikuyus have positive perceptions of the quality of government services (62 percent), the state of the national economy (67 percent), and whether President Kibaki fulfilled his promises since the last election (80 percent), this support is not universal. Kikuyus also have mixed evaluations of security (50 percent) and health (51 percent), and negative evaluations of their family's own economic situation (39 percent). Co-ethnics of the president do not uniformly praise his performance in office. Conversely, non co-ethnics do not universally condemn his

performance. Luos, Luhyas, Kamba, and Kalenjin largely disapprove of his performance, although not universally so. The Kisii, Mijikenda, Maasai, Meru have more mixed evaluations.

Figure 1 here

To demonstrate a more intuitive understanding of whether ethnicity drives performance ratings, Figure 1 uses Government Services as the dependent variable and generates predicted probabilities for positive evaluations for respondents with co-ethnics in the race, and those without. Controls are held at their means. As the results show, Kikuyus have a 55 percent probability of positive performance evaluation of their co-ethnic candidate Kibaki. Luos (23 percent), Kambas (20 percent), and non co-ethnics (25 percent) all have much less likelihood of positive performance evaluations. The difference between Kikuyus and all other respondents in this regard provides evidence that ethnicity may drive performance evaluations, but only partly so. It is not the case that Kikuyus have positive evaluations no matter what. Nor is it the case that non-Kikuyus have universally negative perceptions. Moreover, non-Kikuyu respondents with candidates in the race (Luos and Kambas) are no more or less likely than respondents with no co-ethnic in the race to have negative evaluations.

Table 8 here

The relationship between ethnicity and performance in driving vote choice is therefore nuanced. It is not simply the case that ethnicity explains performance evaluations. But there is a relationship and ethnicity and performance may interact: voters assessing a co-ethnic incumbent could punish poor performance less in their vote choice than non-co ethnics. I investigate whether ethnicity provides such a bias in Table 8. The dependent variable is whether or not the respondent said they voted for Kibaki. I introduce interaction terms for each of the performance variables from Table 4 with the ethnic groups of the three candidates. In the first model, the interaction Kikuyu*Services is negative and significant, which I interpret as Kikuyus demanding less performance from Kibaki to vote for him. The same pattern can be seen with National Economy and Kibaki's Promises. The coefficients on Government Services, National Economy, Kibaki's Promises, and Experience remain positive and significant. Ethnic controls are also significant and perform as expected. Notice also that interactions for other ethnic groups with candidates in the race are not consistently significant. In regressions not shown, I replicated Table 8 adding interactions for all of the other ethnic groups that do not feature candidates—none of which proved consistently significant. Ethnicity does not filter performance evaluations for all voters, only co-ethnics of the incumbent. Performance and ethnicity are independently critical towards the vote, even when controlling for their interaction. Kikuyus still use their performance evaluations to guide their vote, but they place less weight on this factor than members of other ethnic groups do. This lends support for Hypothesis 5.

Table 9 here

Table 9 helps to establish a more intuitive understanding of the interaction between ethnicity and performance and their affects on vote choice. Similar to Table 7, Table 9 generates predicted probabilities of supporting Kibaki, broken down by positive and negative performance evaluations and whether or not respondents had a co-ethnic candidate. Kibaki loses 47 percent of his co-ethnic Kikuyu vote shifting from positive to negative performance. For other groups, this rate of change is more dramatic: he loses 75 percent of Luo support, and 77 percent of support from all other groups who do not field a co-ethnic candidate. The difference in this rate of change suggests that Kikuyu voters are more likely to discount performance in their assessment of their co-ethnic incumbent running for re-election. Interestingly, other groups share a consistent pattern compared to the Kikuyu, but do not share patterns across these groups.

Multivariate Models on Issues and the Campaign

To measure the effects of the campaign and policies on voting behavior, Table 10 presents a multinomial logit vote model that compares vote choice between Kibaki, Odinga, and Musyoka on campaign issues. The dependent variable for Table 10 is vote choice. With Kibaki as the reference category, each model's first column's coefficients compare votes between Odinga and Kibaki, and the second column between Musyoka and Kibaki. The variables included are the responses to the question "what was the most important issue in helping to decide for whom to vote for president?" as described in Table 3 above. Analyzing issue-voting in this way follows a similar method in US exit

polls (Abrajano, Alvarez, and Nagler, 2008). Model 1 uses "economy" as the excluded category, and Model 2 excludes "employment."

Table 10 here

Significant variables suggest that particular issues were important in helping voters to distinguish their support for competing candidates. If campaigns matter, Kibaki should have attracted supporters with respect to his strengths on the economy and education. Odinga should have attracted supporters who cared the most about the issues he raised, including employment, corruption, *majimbo*, and constitutional revision. The two multinomial logit models in Table 10 largely demonstrate this pattern, in support of Hypothesis 4. Odinga and Kibaki remained the top two candidates in the race and the most heated and important disagreements in the campaign fell between them. Musyoka consistently fell in third place in the run-up to the election (Horowitz and Long 2012), and placed less emphasis on drawing distinctions from other candidates. Therefore, I expect more issues to divide Odinga and Kibaki voters than Kibaki and Musyoka voters.

In Model 2, Economy remains significant and negative for Odinga voters, suggesting that voters who found the economy the most important issue were more likely to vote for Kibaki. Overall economic growth remained a strength of Kibaki's, and he won on this issue. Similarly, Kibaki won on the issue of education (significant and negative for Odinga voters), no doubt for delivering universal primary education and promising universal secondary education. Kibaki proved the "economy" and "education" president.

Conversely, Kibaki lost on the issue of employment (Model 1). Respondents who were most concerned with jobs were more likely to support Odinga.

Odinga, as well as Musyoka to a lesser extent, won on three important reform issues: *majimbo*, corruption, and constitutional revision. Recall that *majimbo* refers to greater decentralization in terms of service delivery and development, something Odinga campaigned heavily on to reduce the size and power of the central state. Kibaki campaigned vigorously against *majimbo*. The variable Majimbo remains positive and highly significant, demonstrating its effect at drawing support away from Kibaki and towards Odinga. Odinga featured fighting corruption as a central plank of his platform, promising to tackle high profile abuses after Kibaki's failure to do so. Odinga also promised to deliver Kenyans a new constitution if elected, following Kibaki's failed referendum in 2005. On these issues, Odinga gained important support.

Taken together, voters who thought that the economy and education were the most important issues favored Kibaki. Similarly, Odinga won on employment and the reform issues of majimbo, corruption, and constitutional revision. These issues remain significant even in light of controlling for the ethnicity of candidates. The more significant variables separating Odinga and Kibaki voters over Musyoka and Kibaki voters makes sense in light of the starker differences between the issues and promises of Odinga's campaign compared to Musyoka's. These tests provide clear evidence that issues and policies matter to African voters, supporting Hypothesis 4. It is important to note again that these results show only the correlates of campaign issues and vote choice. It could be that in many cases issue position is endogenous to vote choice, and that voters place themselves on issues after deciding for whom to vote. However, this does not

undermine the central insight that campaigns matter and that voters align themselves with the position of candidates and the themes they highlight in campaigns. Were campaigns not to matter—as the prevailing ethnic theories suggest—issues and vote choice would not correlate. This is clearly not the case.

5. Hypotheses, Method, and Results: Survey Experiment

Method

In this section, I specify and test hypotheses using the survey experiment embedded in the exit poll that derive from my information theory of voting discussed above. Voters are likely to use information about ethnicity and performance to make decisions. As we saw in the previous section, the correlates of voting demonstrate that ethnicity and performance form strong predictors of the vote. Performance is also partially endogenous to ethnicity, and the two may interact. The experimental approach in this section allows us to better understand the relative salience of ethnic and performance cues.

The use of experimental methods to test the effect of ethnicity on voting and public goods provision has grown in recent years. Dunning and Harrison (2010) and Dunning (2010), for example, randomize various cues in campaign videos to test their effect on candidate support in Mali and South Africa. Habyarimana et *al.* (2009) perform field experiments in Kampala, Uganda to explore the effect of co-ethnicity on public service provision. Survey experiments in particular are increasingly used in political

science (e.g., Adida 2011; Fair, Malhotra, and Shapiro 2011; Frye 2005, 2006; Pepinsky, Liddle, and Mujani 2009). No experiment, however, has been incorporated into an exit poll in Africa.

An experimental approach provides a number of advantages over prior studies on ethnicity and political behavior in Africa. First, it allows us to separate the individual effects of ethnicity and performance and measure their causal effect on vote choice. Second, random assignment to treatment means that differences between treatment groups are the result of the treatment alone and confounding factors that may affect vote choice, such as respondents' demographic characteristics, attitudes, or beliefs. Third, experimental manipulation helps to overcome problems of endogeneity, since vote choice can explain perceptions of performance and ethnicity.

To test hypotheses on the relative salience of ethnic and performance cues, I embedded a survey experiment within the exit poll. The treatments were information or cues about the ethnicity and performance records of fictional candidates. The survey question described a fictional candidate for office and then asked respondents their likelihood of voting for that person. The question came at the beginning of the survey before the other exit poll questions discussed above. The ethnic treatment was either a Kikuyu or Luo name reflecting the two main ethnicities vying for the presidency (but not the names of actual candidates). The performance treatment was whether the candidate had performed well or not in office on issues of poverty reduction, service delivery, and job creation. This treatment derives from some of the most salient issues discussed in the campaign, as described above, and reflects my core theoretical interest of testing the effects of performance. This created four versions of the survey where a single

respondent was given one of four scenarios and asked whether or not they would support a well-performing Kikuyu, well-performing Luo, poorly-performing Kikuyu, or poorly-performing Luo. I take evidence of ethnic voting as those voters that expressed support for a candidate in the face of bad performance, but knowing their ethnic identity, or those who did not express support for a candidate in the face of good performance, but knowing their ethnic identity. I argue that all else equal and knowing nothing else about a candidate, a voter would never prefer a poorly performing candidate or reject a well-performing candidate. Changes in levels of support after the introduction of the ethnic cue therefore help to measure voters who are more likely to lend weight to ethnic, over performance, cues. I randomly distributed the four versions of the survey nation-wide so results are derived from the two information treatments, ethnic and performance cues, and not other confounding variables, such as the ethnicity of the respondent.

Table 11 shows the schema for the experiment. Versions 1 and 3 of the survey cue the same Kikuyu ethnic name, and Versions 2 and 4 cued the same Luo name. Versions 1 and 2 cue poor performance, while Versions 3 and 4 cue good performance.

Table 11 here

The precise wording of the question from Versions 3 and 4 (see Appendix 2 for all four versions of the question):

> Imagine that the following person is running for president. First, I am going to describe this candidate, and then ask you how likely you would be to support

> him for re-election. Since becoming elected, let's suppose President Kamau/Onyango reduced poverty, delivered more services, and created more jobs in Kenya. In your opinion, how likely would you be to support him: very likely, somewhat likely, somewhat unlikely, or not likely?

The answer options for respondents included: "Very likely / somewhat likely / somewhat unlikely / not likely" as well as "don't know" and "refused to answer." I collapse the evaluations into positive and negative (combine "very" and "somewhat" likely and "somewhat" and "not likely") and drop undecideds and refusals from analysis (which make up a very small proportion of all answers and do not affect the results), creating four hypothetical candidates.[19]

Hypotheses

Next, I specify hypotheses regarding the relative weight that voters will place on ethnicity and performance. Experimental manipulation of treatments on ethnic and performance cues allows for a more precise exploration on the role of information cues in structuring the vote. Specifying the role of information cues on vote choice, I deduce the following hypotheses:

> $H_{1:}$ *Ethnic cues help voters choose one candidate from another regardless of performance cues*. Referencing Table 11, this suggests that moving between the rows (ethnicity) should have larger effects on candidate choice than moving

[19] Kamau and Onyango are recognizable and common Kikuyu and Luo names, respectively.

across columns (performance). This hypothesis seeks to capture the strong form of the ethnic voting argument where voters will only require knowledge of the identity of candidates to decide, thus Kikuyu voters will select a Kikuyu, and Luo voters a Luo. Respondents who are neither Kikuyu nor Luo will also favor ethnic cues over performance cues.

$H_{2:}$ *Performance cues help voters choose one candidate from another regardless of ethnic cues.* Referencing Table 11, this suggests that moving between the columns (performance) should have larger effects than moving across rows (ethnicity). Voters will rely upon performance cues to help them decide and not distinguish between the ethnic identities of candidates.

$H_{3:}$ *Ethnic cues are more powerful than performance cues to co-ethnic voters.* This reformulates Hypothesis 1, but it asserts that only co-ethnics -- in this case Luo and Kikuyu respondents -- will choose ethnicity over performance based on knowing the ethnic identity of candidates. Other respondents should not respond positively to ethnic cues.

$H_{4:}$ *Performance cues are more powerful than ethnic cues to non co-ethnic voters.* This reformulates Hypothesis 2, but it asserts that non co-ethnics – all respondents who are not Kikuyus and Luo—will choose performance over ethnicity.

Results

To demonstrate the efficacy of randomization, Table 12 presents a balance test of demographic covariates on treatment assignment, including whether a respondent was Kikuyu or Luo, as well as categories for age, income, education, urban, and male. The p-values in Table 12 show that none of the demographic characteristics of respondents' significantly predicted which version of the survey they received.

Table 12 here

Clear patterns emerge from the results of the nation-wide experiment (see Table 13 and Figure 2). Recall that in Table 13, each of the cells contains identical samples of ethnic groups. If Hypothesis 1 is correct, respondents should differentiate between candidates on the basis of ethnicity. But moving from column one to column two in Table 13, shows that a Luo or Kikuyu candidates receive almost exactly the same level of support within performance levels. That is, the information revealed by an ethnic cue does not generate discrimination between ethnic candidates with performance levels held constant. Moving from row one to row two, holding ethnicity constant, the ethnic cue does not change the proportion of respondents in either high or low performance.

Table 13 here

The second column in Table 13 shows some evidence of pure ethnic voting: a poorly performing Kikuyu receives 22 percent of the vote while a poorly performing Luo

also receives 22 percent. This group of respondents conforms to the prediction of Hypothesis 1, the ethnic identity of a candidate is the only information needed to decide their vote choice, even in light of poor performance. A Kikuyu and Luo candidate are thus likely to draw some support based on their ethnic identity alone, but at a rate that is too small to win the race. The voters in the first column who prefer a well-performing Kikuyu (73 percent) and Luo (74 percent) overwhelm these ethnic voters. These results lend strong support in favor of Hypothesis 2 and a rejection of Hypothesis 1. Thus, despite conventional wisdom in Kenya, a historically marginalized group like the Luo is capable of producing electoral winners, as are the more established Kikuyu. Given either good or poor performance, Kenyan voters do not seem to distinguish between Kikuyu and Luo ethnic cues. Figure 2 displays these results graphically.

Figure 2 here

While there is no statistical difference across candidates for ethnic cues once I hold the performance treatment constant, an additional hypothesis might be that the treatments affect the intensity of preference differently. "Ethnic" voters, for instance, may prefer their Kikuyu or Luo candidates stronger than "performance" voters strongly prefer their well-performing candidates. To test this possibility, I break apart the aggregated support within each treatment cell from Figure 2 to its corresponding "very likely" and "somewhat likely" component parts in Figure 3. The data do not support the idea that ethnic or performance treatments differentially affect intensity of support. For example, 54 percent "very strongly" support a well performing Kikuyu, and 13 percent of "very

likely" respondents back a poorly performing Kikuyu. A Luo candidate's "very likely" support has a nearly identical fall: 53 percent to 13 percent. The change in the "somewhat likely" respondents is also nearly identical within ethnic group across the performance treatment: both Kikuyu and Luo candidates' "somewhat likely" support falls by half. "Unlikely" support rates – not shown – follow similar patterns. I take these data as evidence that performance and ethnic treatments have equivalent effects across all categories of answers.

Figure 3 here

Tables 14 and 15 display the results of the tests of Hypotheses 3 and 4 which suggest that choosing ethnic or performance cues may be conditional on whether a respondent matches the ethnic group of the candidate on offer. First, I restrict the data to voters who are co-ethnics of the candidates in each table. Table 14 shows the likelihood of candidate support in the four treatment cells among only Kikuyu respondents. Hypothesis 3 should result in no support for a Luo candidate from Kikuyus. This is not the case: Kikuyu respondents do not unfailingly support Kikuyu candidates. A well performing Luo candidate receives far more support (76 percent) from Kikuyu respondents than a poorly performing Kikuyu receives (32 percent). The results also demonstrate that a vast majority of Kikuyu respondents include performance in their voting calculus, rejecting Hypothesis 3. Holding good performance constant, however, Kikuyu voters do prefer a Kikuyu (80 percent) to a Luo (76 percent). Similarly, holding poor performance constant, Kikuyus are more likely to choose a poorly performing

Kikuyu (32 percent) to a Luo (27 percent). Although these differences are not statistically significant, mean differences suggest the potential for a bias towards a co-ethnic, holding performance constant.

Table 14 here

Table 15 shows a similar pattern of responses for Luos. A well-performing Kikuyu (64 percent) fairs better than a poorly performing Luo (18 percent), lending additional support against Hypothesis 3. Moreover, holding performance constant, there are slight biases towards co-ethnic candidates: a well-performing Luo (80 percent) receives more support than a Kikuyu (64 percent) among Luo voters. Poorly performing Kikuyus (16 percent) and Luos (18 percent) do uniformly poorly among Luo voters.

Table 15 here

Together, results from Tables 14 and 15 suggest a rejection of Hypothesis 3. Voters with co-ethnics in the race do not only use ethnic cues: Kikuyu and Luo voters prefer good performance over Kikuyu and Luo candidates. They demonstrate some aversion to their co-ethnics when they do not perform well, and some affinity for non co-ethnics who succeed at performance. However, given either good or bad performance, respondents tend to show more affinity to their co-ethnics.

Table 16 here

Table 16 presents results from the experiment for voters who do not have a Kikuyu or Luo co-ethnic in the race, which represent roughly 65 percent of the Kenyan population. Even though these voters are not co-ethnics of the two main candidates, ethnic theories predict or imply that they should respond predominantly to ethnic cues. In the second column poor performers still achieve some voters, 20 percent for a Kikuyu and 22 percent for a Luo. This shows that a subset of voters without a co-ethnic candidate still rely on ethnic cues. This suggests that ethnic voting—or the responsiveness of voters to the ethnic identity of candidates—may not occur in systematic ways that co-ethnicity alone can explain. I return to this question below.

Comparing changes in the columns to changes across the rows demonstrates that for non co-ethnics, performance cues matter far more than ethnic cues, supporting Hypothesis 4. Voters without co-ethnics in the race will essentially split support between a Kikuyu or Luo and not distinguish between ethnic identities once performance is held constant. Among good performers, both a Kikuyu (73 percent) and Luo (72 percent) do nearly equally as well. Among bad performers, a Kikuyu (20 percent) and Luo (22 percent) are equally punished, although these differences are not statistically significant. These results demonstrate that unaffiliated voters do not use the ethnic identity of candidates to distinguish their choices once performance is considered.

In regression results in Table 17, I explore the possibility that other factors may be associated with ethnic voting. In Model 1, the dependent variable takes a value of 1 for voters who preferred an ethnic cue, and a 0 if they choose performance (excluding don't know or refused to answer responses). Models 2 and 3 restrict this to Kikuyu and Luo

candidate support respectively depending on which name a respondent received. First, I include dummies for whether the respondents were Kikuyus or Luos, matching co-ethnicity to the candidates on offer, as well as measures for age, income, urban, education, and gender. I cluster standard errors by interviewer. These robustness checks reveal no consistent pattern between co-ethnicity of respondents and candidate support based on ethnicity or these other demographic characteristics. They suggest that other factors drive ethnic voting, a subject I explore in the next chapter.

Table 17 here

6. Conclusion

Results from this chapter underscore a number of important points with respect to the relative weight of ethnicity and performance towards uncovering the micro-foundations of political choice in African elections. Figure 4 compares the results from the correlates of voting in the exit poll to the survey experiment. The results are not exactly the same, but they are consistent and demonstrate important patterns.

Figure 4 here

First, voters with co-ethnic candidates are likely to choose them, and some other groups will coordinate and vote as blocs but others do not. This does not always occur in predictable ways. All three candidates had Luhya vice presidents, but the Luhya were more likely to support ODM. Similarly, both PNU and ODM fought heavily for the Kalenjin vote and had leading Kalenjin leaders in both parties, including William Ruto for ODM and former president Moi for PNU. Still other groups like the Kisii, Mijikenda, and Maasai split their vote more evenly. These results underscore the limitations that matching co-ethnicity can get us. Therefore, labeling a co-ethnic interaction only ever gets us so far in trying to understand ethnic voting. I return to this topic in the next chapter.

Second, incumbent performance and campaign issues are significant factors towards predicting vote patterns. I find that Kibaki generated support from those voters who perceived he had performed well in office, and lost votes to those who did not. Kibaki also won on issues around the economy and education, whereas Odinga won on reform issues including unemployment, corruption, *majimbo,* and constitutional revision. Issues mattered less for Musyoka's supporters since he did not draw sharp distinctions with the other candidates.

Third, ethnicity and performance are not isolated from each other, or in the minds of voters. Performance evaluations are partially, although not completely, endogenous to ethnic identity. Kikuyu voters were more likely to perceive Kibaki's performance positively, whereas all other voters were more critical. Moreover, ethnicity can shape performance evaluations and the likelihood of supporting a candidate, but only for those

voters who are assessing co-ethnic incumbents. All told, Kikuyus proved more forgiving of, and less likely to punish, Mwai Kibaki for his performance.

Last, in the experimental set-up, performance cues weigh more heavily as a relevant source of information than ethnic cues in helping voters to decide. My findings show that all voters lend more weight to performance cues over ethnic cues. Voters are still more likely to forgive some poor performance among their co-ethnics, but overall, performance matters critically.

My results underscore a number of critical findings with respect to micro-foundations and participation. Africans are not beholden to ethnic identity in deciding their vote. Rather, they participate in order to select and sanction agents to induce better performance and policies over time. Participation should thus be understood as an attempt by voters to achieve and maintain democratic accountability. In later chapters, I will explore how institutional weaknesses may attempt to subvert this process, but from the view of voters, elections in Africa go beyond ethnic headcounts and instead are attempts to establish political accountability.

Table 2.1: Presidential Vote Share by Ethnic Group (percent)

	Kibaki	Odinga	Musyoka	All Voters
Kikuyu	94	4	2	22
Luo	2	98	1	13
Kamba	11	4	85	11
Co-ethnic share of population				*46*
Non co-ethnic share of population				*54*
Co-ethnic vote share	52	26	76	
Non co-ethnic vote share	48	74	24	

Source: Exit Poll

Table 2.2: News Consumption in Kenya: "How often do you get news from the following media?" percent

	Daily	A Few Times a Week	Several Times a Month	Less Often/Never
Radio	91	7	1	2
Television	58	22	7	13
Newspapers	32	32	15	20

Source: Pre-Election Survey

Table 2.3: Presidential vote by ethnic group, performance, and issues

		Presidential Vote			
		Odinga	**Kibaki**	**Musyoka**	**All Voters**
I. Ethnicity					
Ethnic Group					
	Kikuyu	4	94	2	23
	Luo	98	2	1	13
	Kamba	4	11	85	10
	Luhya	74	24	3	13
	Kalenjin	88	10	2	9
	Kisii	57	40	3	6
	Mijikenda	72	24	4	4
	Maasai	55	43	2	2
	Meru	6	87	6	5
II. Performance					
Government Services					
	Excellent/good	8	60	15	30
	Just fair/poor	92	40	85	70
National Economy					
	Excellent/good	8	62	20	32
	Just fair/poor	92	38	80	68
Family's Economic Situation					
	Excellent/good	10	35	10	20
	Just fair/poor	90	65	90	80
Security					
	Excellent/good	18	51	19	32
	Just fair/poor	82	49	81	68
Health					
	Excellent/good	10	47	11	25
	Just fair/poor	90	53	89	75
Kibaki's Promises					
	All/most	6	77	22	37
	Only some/none	94	23	78	63
III. Issues					
Higher Priority					
	Economic Growth	44	54	39	47
	Employment	56	46	61	53
Most Important Issue					
	Employment	20 (48)	17 (35)	31 (17)	20 (100)

Table 2.3 Continued

		Odinga	Kibaki	Musyoka	All Voters
	Economy	26 (37)	44 (55)	22 (7)	33 (100)
	Majimbo	21 (86)	3 (10)	5 (5)	12 (100)
	Corruption	18 (64)	5 (17)	24 (20)	13 (100)
	Education	5 (15)	29 (77)	13 (9)	16 (100)
	Const. Revision	8 (85)	1 (8)	3 (7)	4 (100)
Do you prefer?					
	Experience	26	56	25	38
	New Ideas	74	44	75	62

Excludes "other" responses and "refused to answer"
Source: Exit Poll

Table 2.4: Logit Model of Vote Choice for Incumbent President Kibaki (dependent variable =1 if a Kibaki vote)

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7	Model 8
I. Performance								
Services	2.402 ***		1.450 ***	1.358 ***	1.310 ***	1.650 ***		1.642 ***
	(0.15)		(0.15)	(0.15)	(0.16)	(0.17)		(0.18)
National Economy		2.170 ***				1.491 ***		1.479 ***
		(0.14)				(0.16)		(0.16)
Family's Economy		0.455**				0.071		-0.035
		(0.15)				(0.16)		(0.18)
Security				0.326*				
				(0.14)				
Health					0.385*	0.509**		0.382 +
					(0.16)	(0.18)		(0.20)
Kibaki's Promises			2.633 ***	2.557 ***	2.649 ***			
			(0.15)	(0.16)	(0.17)			
II. Issues								
Economic Growth							0.318**	0.306*
							(0.12)	(0.14)
III. Characteristics								
Experience							1.388 ***	1.222 ***
							(0.14)	(0.17)
IV. Ethnicity								
Kikuyu	3.152 ***	3.094 ***	2.711 ***	2.709 ***	2.687 ***	2.993 ***	3.469 ***	2.955 ***
	(0.20)	(0.20)	(0.21)	(0.22)	(0.24)	(0.24)	(0.19)	(0.24)
Luo	-3.124 ***	-2.822 ***	-2.928 ***	-2.878 ***	-3.167 ***	-3.107 ***	-3.313 ***	-3.154 ***
	(0.40)	(0.37)	(0.41)	(0.41)	(0.51)	(0.48)	(0.40)	(0.50)
Kamba	-1.691 ***	-1.701 ***	-1.940 ***	-1.910 ***	-1.934 ***	-1.820 ***	-1.441 ***	-1.770 ***
	(0.25)	(0.23)	(0.28)	(0.28)	(0.30)	(0.30)	(0.21)	(0.28)

Table 2.4 Cont.

V. Controls	Model1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7	Model 8
Age	0.230*	0.307**	0.191 +	0.185	0.166	0.221*	0.260**	0.192 +
	(0.10)	(0.10)	(0.11)	(0.11)	(0.12)	(0.11)	(0.09)	(0.12)
Income	0.015	-0.002	-0.114	-0.115	-0.086	-0.024	0.187	-0.040
	(0.13)	(0.14)	(0.16)	(0.16)	(0.17)	(0.16)	(0.15)	(0.17)
Male	-0.106	-0.119	-0.100	-0.100	-0.148	-0.141	-0.140 +	-0.168
	(0.09)	(0.09)	(0.10)	(0.10)	(0.11)	(0.10)	(0.08)	(0.11)
Education	-0.242*	-0.219 +	-0.185	-0.169	-0.230 +	-0.252	-0.213 +	-0.207
	(0.11)	(0.12)	(0.11)	(0.11)	(0.12)	(0.13)	(0.11)	(0.14)
Urban	-0.495**	-0.555 ***	-0.354*	-0.356*	-0.375*	-0.515**	-0.479**	-0.455*
	(0.17)	(0.17)	(0.17)	(0.18)	(0.18)	(0.18)	(0.18)	(0.19)
Constant	-1.064 ***	-1.158 ***	-1.711 ***	-1.771 ***	-1.714 ***	-1.401 ***	-1.171 ***	-2.014 ***
	(0.15)	(0.16)	(0.16)	(0.17)	(0.18)	(0.17)	(0.18)	(0.19)
Pseudo-R2	0.4626	0.4673	0.5664	0.5659	0.5715	0.5113	0.4033	0.5406
N	5153	5137	5124	5042	4368	4259	5080	4075

+p<0.1, * p<0.05, ** p<0.01, *** p<0.001

coefficients and robust standard errors clustered at the polling station level shown

Source: Exit Poll

Table 2.5: Logit Model of Vote Choice for Incumbent President Kibaki (dependent variable =1 if a Kibaki vote), with ethnic and non co-ethnic controls

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7	Model 8
I. Performance								
Services	2.321***		1.471***	1.350***	1.289***	1.558***		1.609***
	(0.15)		(0.15)	(0.16)	(0.17)	(0.17)		(0.16)
National Economy		2.005***				1.275***		1.292***
		(0.13)				(0.15)		(0.14)
Family's Economy		0.428**				-0.024		-0.084
		(0.16)				(0.17)		(0.17)
Security				0.448**				0.454**
				(0.14)				(0.16)
Health					0.524**	0.716***		
					(0.17)	(0.18)		
Kibaki's Promises			2.390***	2.285***	2.350***			
			(0.15)	(0.15)	(0.16)			
II. Issues								
Economic Growth							0.366**	0.343*
							(0.12)	(0.14)
III. Characteristics								
Experience							1.385***	1.220***
							(0.14)	(0.15)
IV. Ethnicity								
Kikuyu	2.939***	2.921***	2.476***	2.459***	2.490***	2.851***	3.187***	2.747***
	(0.25)	(0.24)	(0.25)	(0.25)	(0.27)	(0.27)	(0.25)	(0.26)
Luo	-3.333***	-2.996***	-3.127***	-3.087***	-3.313***	-3.244***	-3.608***	-3.149***
	(0.42)	(0.39)	(0.42)	(0.43)	(0.51)	(0.50)	(0.42)	(0.44)
Kamba	-1.879***	-1.822***	-2.092***	-2.081***	-2.024***	-1.882***	-1.736***	-1.997***
	(0.29)	(0.27)	(0.31)	(0.31)	(0.33)	(0.32)	(0.27)	(0.31)

Table 2.5 Cont.

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7	Model 8
Luhya	-0.599*	-0.489 +	-0.508*	-0.487 +	-0.409	-0.407	-0.804**	-0.528*
	(0.24)	(0.26)	(0.25)	(0.25)	(0.26)	(0.26)	(0.27)	(0.27)
Kalenjin	-1.759 ***	-1.569 ***	-1.605 ***	-1.686 ***	-1.600 ***	-1.608 ***	-1.879 ***	-1.651 ***
	(0.32)	(0.30)	(0.33)	(0.33)	(0.36)	(0.36)	(0.32)	(0.37)
Kisii	-0.076	-0.023	-0.019	-0.136	-0.027	-0.066	-0.194	-0.325
	(0.24)	(0.23)	(0.23)	(0.23)	(0.25)	(0.30)	(0.24)	(0.28)
Mijikenda	-0.530 +	-0.445	-0.462	-0.543 +	-0.447	-0.388	-0.735*	-0.462
	(0.31)	(0.36)	(0.33)	(0.32)	(0.35)	(0.35)	(0.32)	(0.31)
Maasai	-0.451	-0.051	-0.481	-0.597	-0.449	-0.355	-0.377	-0.598 +
	(0.30)	(0.32)	(0.39)	(0.39)	(0.45)	(0.32)	(0.40)	(0.34)
Meru	2.358 ***	2.409 ***	1.710 ***	1.834 ***	1.755 ***	2.398 ***	2.377 ***	2.371 ***
	(0.26)	(0.36)	(0.31)	(0.33)	(0.32)	(0.32)	(0.32)	(0.38)
V. Controls								
Age	0.392 ***	0.455 ***	0.299**	0.318**	0.267*	0.353**	0.417 ***	0.367**
	(0.10)	(0.10)	(0.11)	(0.12)	(0.12)	(0.12)	(0.09)	(0.12)
Income	0.092	0.056	-0.056	-0.056	-0.011	0.077	0.246 +	0.021
	(0.13)	(0.14)	(0.15)	(0.15)	(0.16)	(0.15)	(0.14)	(0.15)
Male	-0.119	-0.144	-0.112	-0.109	-0.163	-0.176 +	-0.158 +	-0.149
	(0.09)	(0.09)	(0.10)	(0.10)	(0.11)	(0.10)	(0.08)	(0.10)
Education	-0.294 **	-0.243*	-0.219 +	-0.198	-0.269*	-0.301*	-0.225*	-0.157
	(0.11)	(0.12)	(0.12)	(0.12)	(0.13)	(0.13)	(0.11)	(0.12)
Urban	-0.464**	-0.514**	-0.356*	-0.352*	-0.376*	-0.496**	-0.419*	-0.398*
	(0.16)	(0.16)	(0.17)	(0.18)	(0.18)	(0.17)	(0.17)	(0.18)
Constant	-0.881 ***	-0.990 ***	-1.434 ***	-1.509 ***	-1.482 ***	-1.240 ***	-0.980 ***	-1.907 ***
	(0.21)	(0.21)	(0.23)	(0.24)	(0.24)	(0.23)	(0.24)	(0.24)
Pseudo-R2	0.5138	0.5086	0.5906	0.5917	0.5952	0.5498	0.4699	
N	5153	5137	5124	5042	4368	4259	5080	4706

Table 2.6: Predicted Probabilities for Incumbent Vote Matching Co-ethnicity and Performance Variables (from Model 3 Table 4)
Dependent Variable: Vote for Kibaki (=1)

	Positive Performance Evaluations	**Negative Performance Evaluations**
Co-ethnic (Kikuyu)	0.99	0.55
	(.978, .992)	(.446, .640)
Non co-Ethnic (non-Kikuyu)	0.82	0.07
	(.772, .866)	(.059, .090)

coefficients and confidence intervals (95%) shown

Source: Exit Poll

Table 2.7: Performance Evaluations by Ethnic Group, percent providing positive evaluations

	Government Services	National Economy	Family's Economic Situation	Security	Health	Kibaki's Promises
Kikuyu	62	67	39	50	51	80
Luo	5	5	6	9	5	4
Kamba	21	23	11	22	14	24
Luhya	17	17	13	20	15	19
Kalenjin	13	11	14	25	19	11
Kisii	30	31	20	44	35	31
Mijikenda	15	15	10	36	13	20
Maasai	44	32	28	54	33	42
Meru	51	54	34	34	24	80

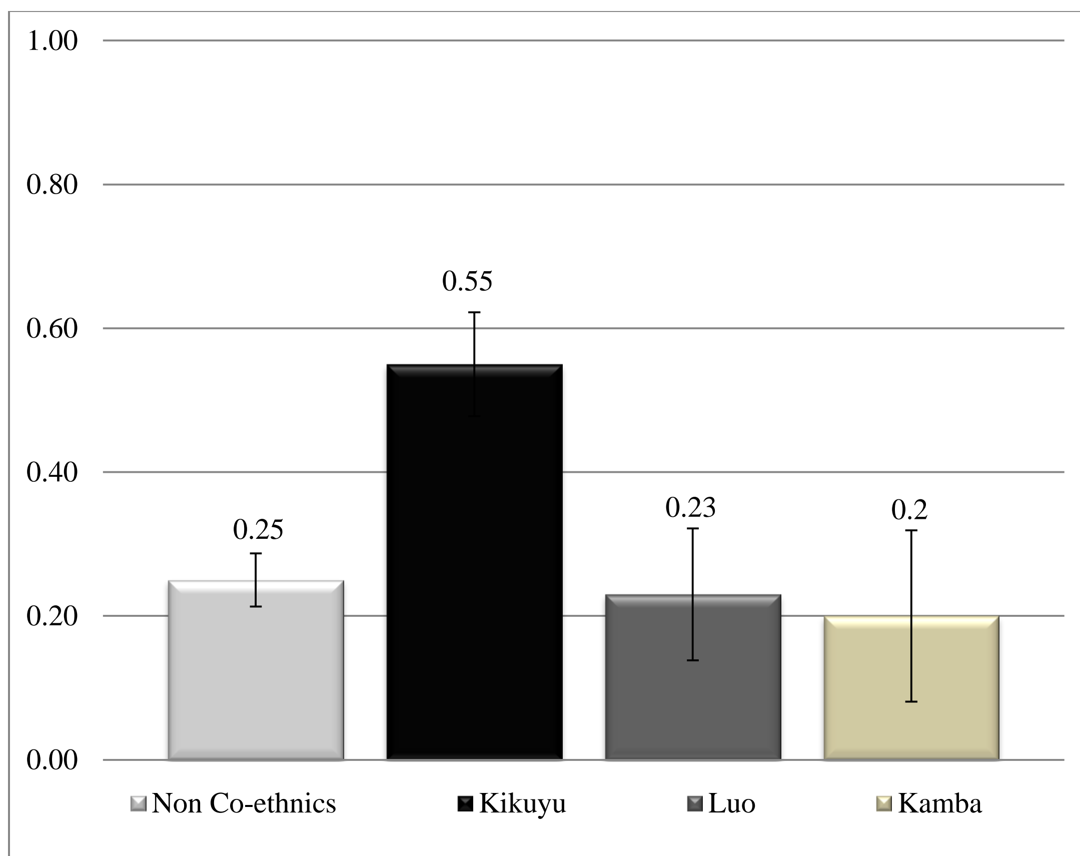

Figure 2.1: Probability of Positive Evaluations of Kibaki's Performance by Ethnic Group

Table 2.8: Logit Model with Ethnicity and Performance Interactions
***Dependent Variable: Vote for Kibaki (=1)*, Continued**

	Model 1	Model 2	Model 3
I. Performance			
Government Services	2.507***		
	(0.16)		
National Economy		2.442***	
		(0.17)	
Kibaki's Promises			3.448***
			(0.19)
II. Ethnicity			
Kikuyu	3.355***	3.309***	3.133***
	(0.23)	(0.23)	(0.22)
Luo	-3.021***	-3.215***	-2.613***
	(0.45)	(0.50)	(0.45)
Kamba	-1.660***	-1.208***	-0.827**
	(0.35)	(0.26)	(0.27)
III. Interactions			
Kikuyu*Services	-0.897**		
	(0.34)		
Luo*Services	-0.348		
	(0.70)		
Kamba*Services	-0.111		
	(0.46)		
Kikuyu*National Economy		-0.891**	
		(0.30)	
Luo*National Economy		0.749	
		(0.59)	
Kamba*National Economy		-1.089**	
		(0.35)	
Kikuyu*Promises			-1.044***
			(0.30)
Luo*Promises			-0.488
			(0.62)
Kamba*Promises			-1.914***
			(0.39)

Table 2.8 Continued

	Model 1	**Model 2**	**Model 3**
IV. Controls			
Age	0.232*	0.296**	0.272*
	(0.10)	(0.10)	(0.11)
Income	0.015	-0.050	-0.043
	(0.13)	(0.14)	(0.15)
Male	-0.105	-0.114	-0.109
	(0.09)	(0.09)	(0.10)
Education	-0.242*	-0.220 +	-0.199 +
	(0.11)	(0.11)	(0.11)
Urban	-0.496**	-0.498**	-0.347*
	(0.17)	(0.17)	(0.17)
Constant	-1.093***	-1.106***	-1.635***
	(0.15)	(0.17)	(0.16)
Pseudo-R2	0.4638	0.4574	0.5454
N	5153	5277	5317

+ p<0.1 * p<0.05, ** p<0.01, *** p<0.001
Coefficients and robust standard errors clustered at the polling station level shown

Table 2.9: Predicted Probabilities of Kibaki's Vote Choice by Ethnic Group

	Positive Performance	Negative Performance	*Difference*
Kikuyus	0.99	0.54	*0.45*
22%	(0.977, 0.99)	(0.435, 0.644)	
	53%	13%	
Non co-ethnics	0.9	0.13	*0.77*
54%	(0.863, 0.925)	(0.106, 0.155)	
	17%	60%	
Luos	0.84	0.09	*0.75*
13%	(0.681, 0.934)	(0.035, 0.187)	
	2%	88%	
Kambas	0.49	0.02	*0.47*
11%	(0.235, 0.740)	(0.004, 0.047)	
	10%	62%	

Table 2.10: Multinomial Logit Prospective Issue Voting, Continued
Dependent Variable: Vote Choice (Kibaki, Odinga, Musyoka)

	Model 1		**Model 2**	
	Odinga Voters	Musyoka Voters	Odinga Voters	Musyoka Voters
I. Issues/Policies				
Employment	0.468**	1.127***		
	(0.17)	(0.24)		
Economy			-0.498**	-1.140***
			(0.16)	(0.24)
Majimbo	2.107***	1.789***	1.641***	0.700 +
	(0.24)	(0.40)	(0.25)	(0.40)
Corruption	1.323***	1.543***	0.857***	0.450
	(0.18)	(0.27)	(0.18)	(0.29)
Education	-1.274***	-0.355	-1.739***	-1.453***
	(0.22)	(0.25)	(0.24)	(0.27)
Const. Revision	1.987***	2.087**	1.521**	0.998
	(0.52)	(0.74)	(0.52)	(0.72)
II. Ethnicity				
Kikuyu	-3.537***	-1.473***	-3.529***	-1.459***
	(0.20)	(0.32)	(0.20)	(0.32)
Luo	3.096***	1.174*	3.091***	1.160*
	(0.38)	(0.57)	(0.38)	(0.57)
Kamba	-1.518***	4.367***	-1.507***	4.388***
	(0.28)	(0.23)	(0.28)	(0.23)
III. Controls				
Age	-0.235*	-0.210	-0.228*	-0.206
	(0.11)	(0.18)	(0.11)	(0.18)
Income	-0.269 +	-0.202	-0.271 +	-0.210
	(0.15)	(0.23)	(0.15)	(0.23)
Male	0.127	-0.273 +	0.134	-0.264 +
	(0.09)	(0.16)	(0.09)	(0.16)
Education	0.180	0.264	0.184	0.276
(Respondent's)	(0.12)	(0.17)	(0.12)	(0.17)
Urban	0.578**	0.275	0.584**	0.288
	(0.19)	(0.25)	(0.19)	(0.25)
Constant	0.040	-2.806***	0.495*	-1.735***
	(0.20)	(0.27)	(0.20)	(0.25)
Pseudo R2	0.4892		0.4896	
N	5371			
	economy as excluded category		*employment as excluded category*	

With a vote for Kibaki as baseoutcome

+ p<0.1 * p<0.05, ** p<0.01, *** p<0.001,
Coefficients and robust standard errors clustered at the polling station level shown

Table 2.11: Structure of survey experiment

		Performance Treatment	
		Good Performer	*Bad Performer*
Ethnic Treatment	*Kikuyu name*	Version 3	Version 1
	Luo name	Version 4	Version 2

Table 2.12: Balance Test of Experiment Randomization

	Treatment Assignment	*p-value*
Kikuyu	0.027	*0.472*
	(0.04)	
Luo	0.047	*0.322*
	(0.05)	
Age	0.053	*0.100*
	(0.03)	
Income	-0.026	*0.470*
	(0.04)	
Urban	-0.022	*0.503*
	(0.03)	
Education	0.041	*0.200*
	(0.03)	
Male	-0.015	*0.619*
	(0.03)	
Constant	2.464***	*0.000*
	(0.03)	
N	5495	
R2	0.001	

Coefficients and standard errors (in parentheses) shown; lack of p-values <0.10 demonstrate efficacy of randomization and no significant covariate predictors of treatment assignment

Table 2.13: Survey Experiment: Ethnicity vs. Performance (percent answering "very" or "somewhat" likely to support hypothetical candidate, N=5,495)

	Good Performer	**Poor Performer**	***Difference***
Kikuyu	0.73 (0.709, 0.757)	0.22 (0.201, 0.246)	*0.51***
Luo	0.74 (0.717, 0.764)	0.22 (0.197, 0.241)	*0.52***
Difference	*-0.01*	*0*	

** difference in means significant 5%, ** difference in means significant at 1%*
Means and confidence intervals shown in parentheses

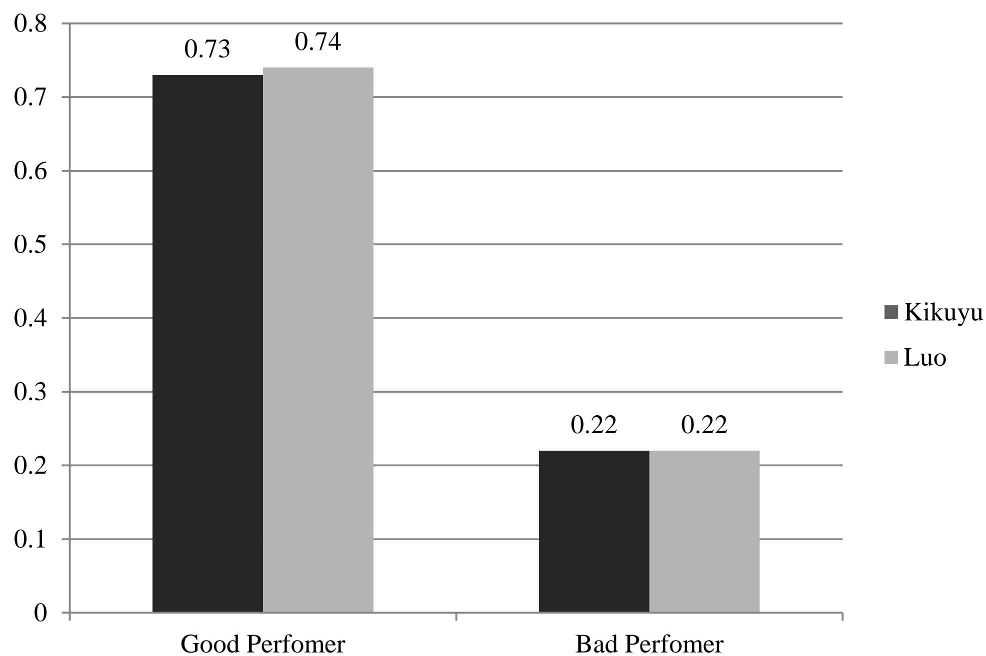

Figure 2.2: Survey Experiment: Ethnicity vs. Performance (percent answering "very" or "somewhat" likely to support hypothetical candidate, N=5,495)

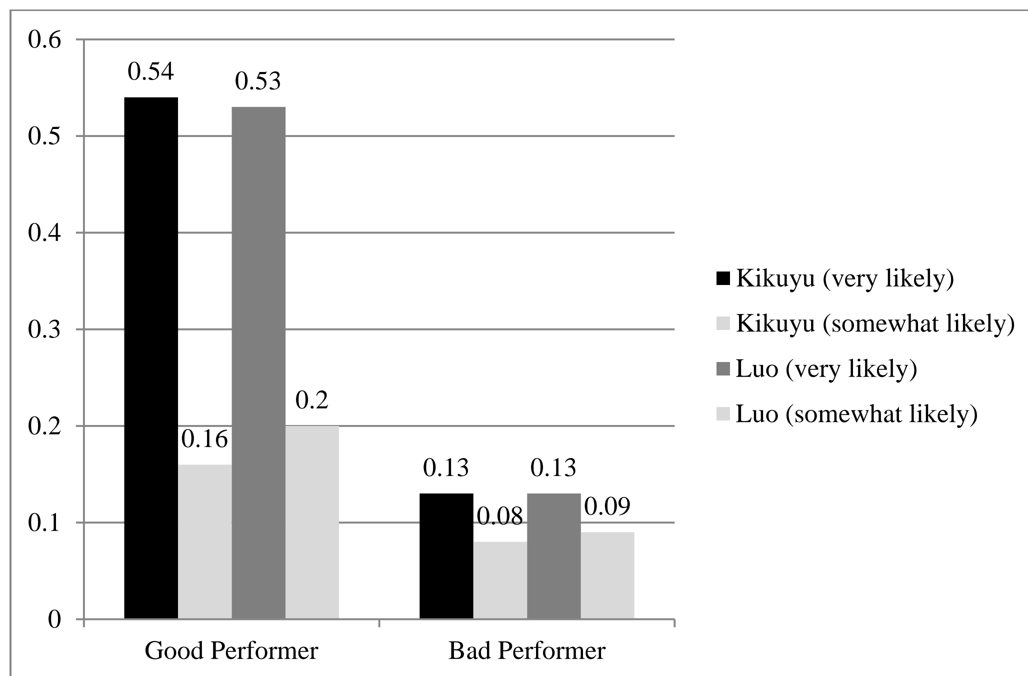

Figure 2.3: Survey Experiment: Ethnicity vs. Performance (percent answering "very" or "somewhat" likely to support hypothetical candidate)

Table 2.14: Survey Experiment: Kikuyu respondents only (N=1,268)

	Good Performer	**Poor Performer**	***Difference***
Kikuyu	0.80 (0.754, 0.844)	0.32 (0.262, 0.370)	*0.48***
Luo	0.76 (0.713, 0.810)	0.27 (0.218, 0.315)	*0.49***
Difference	*0.04*	*0.05*	

** difference in means significant at 5%, ** difference in means significant at 1%*
Means and confidence intervals shown in parentheses

Table 2.15: Survey Experiment: Luo respondents only (N=698)

	Good Performer	**Poor Performer**	***Difference***
Kikuyu	0.64 (0.566, 0.712)	0.16 (0.101, 0.212)	*0.48***
Luo	0.80 (0.740, 0.860)	0.18 (0.126, 0.242)	*0.62***
Difference	*-0.16**	*-0.02*	

** difference in means significant at 5%, ** difference in means significant at 1%*
Means and confidence intervals shown in parentheses

Table 2.16: Survey Experiment: Unaffiliated respondents only (N=3,529)

	Good Performer	**Poor Performer**	***Difference***
Kikuyu	0.73 (0.695, 0.756)	0.20 (0.172, 0.225)	*0.53***
Luo	0.72 (0.691, 0.752)	0.22 (.187, 0.244)	*0.50***
Difference	*0.01*	*-0.02*	

** difference in means significant at 5%, ** difference in means significant at 1%*
Means and confidence intervals shown in parentheses

Table 2.17: Logit Model Predicting Ethnic Voting

	Ethnic Voting	Kikuyu Candidate	Luo Candidate
Kikuyu	0.072	0.105	0.015
	(0.13)	(0.15)	(0.14)
Luo	-0.107	0.123	-0.338
	(0.16)	(0.19)	(0.21)
Age	-0.034	0.074	-0.150
	(0.07)	(0.10)	(0.09)
Income	-0.068	-0.011	-0.108
	(0.11)	(0.13)	(0.13)
Urban	0.010	-0.009	0.035
	(0.13)	(0.15)	(0.14)
Education	-0.010	-0.149	0.117
	(0.08)	(0.10)	(0.10)
Male	-0.138	-0.151	-0.128
	(0.08)	(0.10)	(0.10)
Constant	-1.040***	-1.025***	-1.052***
	(0.11)	(0.12)	(0.13)
N	5280	2638	2649
Pseudo-R2	0.0015	0.0026	0.0044

**p<.05, **p<.01, ***p<.001*
Coefficients and standard errors clustered by interviewer shown

Model 1 “Ethnic Voting” dependent variable =1 if respondent preferred Kikuyu or Luo ethnic cue over performance cue
Model 2 “Kikuyu Candidate” dependent variable=1 if respondent preferred Kikuyu ethnic cue over performance cue (for sub-sample that received Kikuyu name)
Model 3 “Luo Candidate” dependent variable =1 if respondent preferred Luo ethnic cue over performance (for sub-sample that received Luo name)

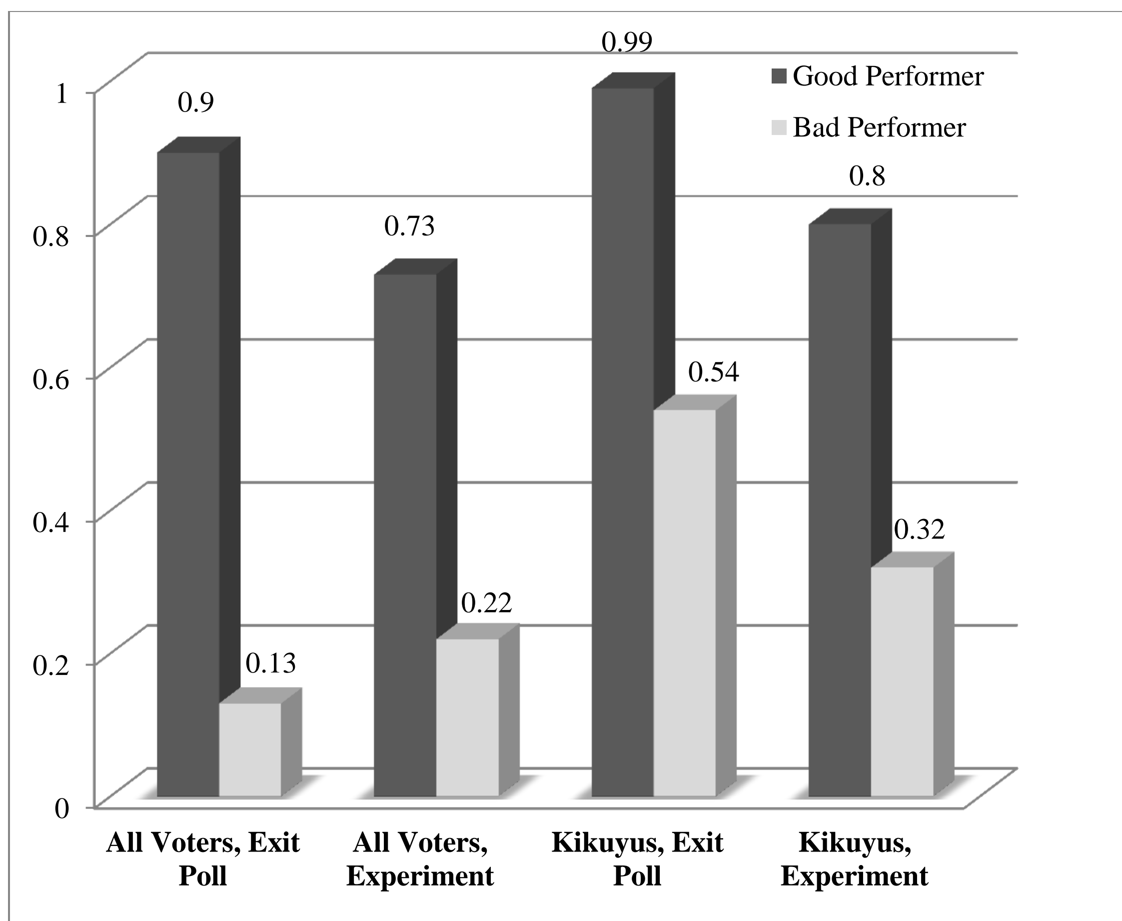

Figure 2.4: Comparing the Correlates of Voting with the Survey Experiment: Likelihood of Supporting Kibaki/Kikuyu

Appendix 1: Variables and Survey Questions

Services: *Does the **central government** do an excellent, good, just fair or poor job with the money it has to spend on services?*

National Economy: *Do you think the condition of **the nation's economy** is excellent, good, just fair, or poor?*

Family's Economy: *Do you think the condition of your **family's economic situation** is excellent, good, just fair, or poor?*

Security: *Do you think the condition of **security in your community** is excellent, good, just fair, or poor?*

Health: *Do you think the condition of **health services in your community** is excellent, good, just fair, or poor?*

Kibaki's Promises: *Thinking about **President Kibaki:** did he mostly fulfill his promises, only fulfill some promises, or not fulfill promises since the last election?*

Economic Growth: *Which of these should be a **higher** priority for the country right now: **economic growth** or **employment**?*

Experience: *In your opinion is it **more important** for candidates running for office to have **experience** or is it **more important** for them to have **new ideas**?*

Ethnicity: *What is your ethnic community?*

Age: *What is your age?*

Income: *What was your **total family income** in the last year?*

Male: *by observation*

Education: *What is the highest level of education completed?*

Urban: *pre-coded based on classification of enumeration area*

Issues: *Which **one** issue mattered **most** in deciding how you voted for president (randomize ordering)? Employment, Economy, Majimbo, Corruption, Education, Constitutional Revision*

Appendix 2: Survey Experiment (Four Versions of the Survey)

Version 1 [Poorly performing Kikuyu]: Imagine that the following person is running for president. First, I am going to describe this candidate, and then ask you how likely you would be to support him for re-election. Since becoming elected, let's suppose **President Kamau did not** reduce poverty, **did not** deliver more services, and **did not** create more jobs in Kenya. In your opinion how likely would you be to support him: very likely, somewhat likely, somewhat unlikely, or not likely?

Version 2 [Poorly performing Luo]: Imagine that the following person is running for president. First, I am going to describe this candidate, and then ask you how likely you would be to support him for re-election. Since becoming elected, let's suppose **President Onyango did not** reduce poverty, **did not** deliver more services, and **did not** create more jobs in Kenya. In your opinion how likely would you be to support him: very likely, somewhat likely, somewhat unlikely, or not likely?

Version 3 [Well performing Kikuyu]: Imagine that the following person is running for president. First, I am going to describe this candidate, and then ask you how likely you would be to support him for re-election. Since becoming elected, let's suppose **President Kamau reduced** poverty, delivered **more** services, and created **more** jobs in Kenya. In your opinion how likely would you be to support him: very likely, somewhat likely, somewhat unlikely, or not likely?

Version 4 [Well performing Luo]: Imagine that the following person is running for president. First, I am going to describe this candidate, and then ask you how likely you would be to support him for re-election. Since becoming elected, let's suppose **President Onyango reduced** poverty, delivered **more** services, and created **more** jobs in Kenya. In your opinion how likely would you be to support him: very likely, somewhat likely, somewhat unlikely, or not likely?

Chapter 3

Security, Fear, and the Determinants of Ethnic Voting

1. Introduction

In the previous chapter, I present evidence that demonstrates the importance of incumbent performance towards understanding individual motivations for voting in Kenya. However, ethnicity still forms an important consideration. Some voters use co-ethnicity heavily in their voting calculus and will only choose co-ethnic leaders. Still others employ ethnic cues even when choosing a candidate from another group. In this chapter, I examine the determinants of choice for these sub-sets of ethnic voters. In so far as ethnicity matters, *how* does it matter?

Prior approaches to ethnic voting suggest four channels through which ethnicity could motivate the selection of a co-ethnic or responsiveness to ethnic cues. These include (i) affective ties of group membership, (ii) fear or (iii) prejudice towards ethnic outsiders, and (iv) expectations about the distribution of patronage and goods from politicians. Although these prior ethnic theories produce a set of similar observable implication—including co-ethnic voting and headcount elections—they rely upon a variety of distinct logics.

But extant studies suffer three important limitations. First, they do not discriminate between predictions for how ethnicity structures choices for those with co-

ethnics candidates and those without them. Second, they fail to address or adjudicate between alternative ethnic logics. As a result, we only have a cursory – and so far, untested—glimpse into the reason(s) voters might respond positively to a candidate's ethnicity. Third, they lack individual level data. While ethnic theories dominate general explanations for politics in Africa, scholars have presented little evidence for the micro-foundations of the channels that drive ethnic outcomes.

I seek to improve on this work by carefully delineating the logics of the prevailing theories and testing them with data drawn from a nationally representative household pre-election survey I conducted in the run-up to Kenya's 2007 election. The survey included two core components. First, I developed a set of survey questions that reflects the four channels that structure ethnic voting, including strong affective ties to group members, fear and prejudice towards outsiders, and beliefs about favoritism. I measure these against the reported vote choice for co-ethnics of the candidates: the Kikuyu (co-ethnics of incumbent President Mwai Kibaki), Luos (co-ethnics of Raila Odinga), and Kambas (co-ethnics of Kalonzo Musyoka). Second, I examine the impact of these factors on the full sample of voters, both co-ethnics and non co-ethnics of the candidates. Reported vote choice for voters who select across ethnic lines does not necessarily preclude ethnic motivations. But, a test of ethnic voting in this instance requires a different dependent variable. To achieve this, I embedded an experiment that randomized ethnic and performance cues in describing a fictional candidate before asking respondents whether they would support that candidate.[20] I term "ethnic voters" those respondents who proved more responsive to ethnic cues than performance cues. The combination of these two

[20] This experiment had the same design as that described in Chapter 2.

techniques provides a unique and unprecedented view into why some voters make ethnic choices. This chapter represents one of the first systematic explorations of ethnic voting channels using individual level data.

I present two sets of core findings in this chapter. First, my data show that for the subset of voters with co-ethnic candidates as well as the full sample, the prime motivation for ethnic voting arises from fear. Specifically, this means the perceived loss of individual security that results from the election of ethnic outsiders. This result foreshadows the protest and violence that engulfed Kenya's 2007 election, a subject that I return to in Chapter 5. Second, comparing the responsiveness of voters to ethnic cues from the experiment for co-ethnics and non co-ethnics, I find that positive evaluations of group membership drove co-ethnics of candidates towards support, while it drove non co-ethnics away. Affective ties of membership therefore have both positive and negative effects, conditional on whether one's group fields a candidate.

I organize the rest of this chapter as follows. In the next section, I outline the theoretical foundations of the ethnic drivers of the vote and deduce testable hypotheses. Section III discusses the method and data used to test them. Section IV provides results, and Section V concludes.

2. Theoretical Foundations

In this section, I discuss the four main ethnic channels that motivate electoral choices. When voters receive information about the ethnic identity of candidates, what

logics drive support towards or away from alternative candidates? The four most discussed channels include positive evaluations of association members that contribute to a sense of shared identity and belonging. Animosity towards out-groups may produce negative evaluations of ethnic strangers based on fear or prejudice. Leaders may also use lines of ethnicity to determine patterns of redistribution and patronage that favor co-ethnics at the expense of policies that would benefit others.

These four channels require that a voter receives an ethnic cue, or information about the ethnicity of the candidate on offer. As we saw in the last chapter, the identity of candidates in Kenya can provide a strong set of priors for voters on that individual's past and future likely behavior. We know that some of the support that Mwai Kibaki, Raila Odinga, and Kalonzo Musyoka drew from their co-ethnics and non co-ethnics occurred because of their ethnic identity. What motivates voters to make these choices?

Psycho-social gratification and strong feelings of in-group attachments

Ethnic ties can produce strong psychological feelings of affection towards in-group members. In turn, groups may carry on traits of "pathology" where they privilege their own members and exclude others. The experimental studies of Tajfel (1970, 1974), Tajfel and Billig (1973), and Billig (1973) demonstrate that humans remain predisposed towards dividing themselves into groups. In so doing, they also discriminate against others, sometimes based on the smallest perceived differences. These studies find that discrimination does not occur because of the actual similarities between group members, but rather strong ties of group membership and loyalty. Over their range of research,

Tajfel and Billig argue that groups are naturally driven to comparison and competition. Individuals feel a positive social membership from other members of their group.

Horowitz (1985) provides a foundational study that applies these insights to the study of political behavior. He argues that because “Group allegiances and comparisons are a fundamental aspect of social life” (143), we should treat the psychoses of self-worth, anxiety, aggression of groups as we would individuals. For Horowitz, positive evaluations of in-group members strengthen group attachments. These attachments may also fuel feelings of animosity, fear, and resentment towards outsiders. Cooperation across groups proves difficult if not impossible. Members of minorities are particularly defensive and worried about survival. Horowitz’s main observable implication from this view is that in divided societies, group competition should produce ethnic parties. In turn, voters select co-ethnics because they feel a strong psycho-social gratification and strong assertion of group identity in doing so.

A set of related theories suggest that groups defined along boundaries of class or religion (Rabushka and Shepsle 1972; Lijphart 1977) and ethnicity (Geertz 1963, 1973; Horowitz 1985) hold internally homogenous preferences over a set of policies around which in-group members cohere but exclude out-group members. For example, an ethno-linguistic group may wish to enact a policy making their language a state’s official language for education instruction and commerce. As groups differ over policies in this way, democratic competition produces extremism. Candidates try to “outbid” moderate competitors by promulgating maximalist promises that appeal to voters’ sense of group belonging (Horowitz 1985; Rabushka and Shepsle 1972). Electoral races should produce ethnic headcounts.

There are reasons to suspect that strong in-group attachments may motivate Kenyan voters. Outside of metropolitan areas, most Kenyans grow up in ethnically homogenous areas and form close relationships with their co-ethnics. Few Kenyans marry across ethnic lines, and many Kenyans live, go to school, and work with their co-ethnics. Most Kenyans can distinguish whether a stranger is a co-ethnic based on their appearance, tribal language spoken, and name. Although Kenya does not have ethnic parties a la Horowitz, most Kenyans typically vote for a co-ethnic when one appears on the ballot, as we saw in Chapter 2.

Fear and Prejudice

A close corollary to the positive feelings that co-ethnics feel towards each other are the negative evaluations that they may form of ethnic strangers. A wide scholarship suggests that fear and prejudice play important roles motivating political behavior. Pivotal events, including violent periods of colonization and insurgency, or battles over civil rights, create times when politicians strategically use fear of "out groups" to garner support.

In the US, whites are believed to hold deep social aversion to black political inclusion, potentially as a response to learned racist behavior in the divided and unequal South. Many studies of white voting behavior in the US argue that prejudice plays a motivating role in this aversion (Kinder and Sears 1981; Huckfeldt and Kohfeld 1989; Reeves 1997). Despite political and social developments since the civil rights era, racism could in fact prove stable and long-lasting (Bell 1992). Minorities may feel fear of discrimination and subordination and hold prejudicial views of more dominant groups.

Thus, fear and prejudice may have differential effects across groups, depending on their relative size and position in society. Specifically, a lack of self-esteem produced from remaining on the bottom of the political, economic, and/or social ladders results from hostility to out-groups (Berkowitz 1962), and may drive prejudice against powerful groups (Bettelheim and Janowitzh 1964).[21]

Individuals within certain groups may perceive their socio-economic status threatened by members of other groups. In the US, Key (1949) formulates the "power-threat" hypothesis where "…whites engage in racial violence, resist desegregation, vote for racist candidates, and switch political parties partly in response to the threat that living among many blacks poses to their political and economic privilege" (Oliver and Mendelberg 2000, 574). Specifically, individuals who hold prejudicial views are not likely to support policies that redistribute income towards other groups (Sniderman et *al.* 1991). They may label members of other groups as "lazy" and otherwise want to protect their economic position relative to others (*ibid*).

With reference to Africa, Bates (1974) argues that fear, prejudice, and resentment exist between groups because of differential capabilities and social standing. He argues that ethnic groups that "are more wealthy, better educated, and more urbanized tend to be envied, resented, and sometimes feared by others; and the basis for these sentiments is the recognition of their superior position in the new system of stratification" (462).

In sum, feelings of fear or prejudice against out-group members may reflect deep psycho-social aversion to others, or could be based on real evidence of prior

[21] In contrast to older theories, Hajnal (2005) shows that white voters are open to learning and will moderate their views towards blacks when black leaders (in his case, mayors) perform well.

discrimination, violence, or immoderation. Taken together, fear and prejudice may result from a deeper and even more biological predisposition towards in-group members, while also combining experiences that people have had with one another. In either case, the implications for political behavior include co-ethnic voting and headcount elections.

Given its history, fear and prejudice could play important roles in shaping political behavior in Kenya. A violent history of colonization and decolonization, as well as a history of violent elections, has made Kenya a dangerous society. The state frequently fails to adequately secure the population, and communal violence is not uncommon. In so far as Kenyans believe the protection or abrogation of their security correlates with what group they belong to, they may form strong opinions about fear of ethnic strangers. Moreover, the privileged position of the Kikuyu relative to other tribes suggests the potential for ethnic prejudices. Kikuyus may blame non-Kikuyus for their lack of relative wealth and engage in negative ethnic stereotyping, and conversely other groups may demonstrate aversion to Kikuyu dominance. More locally, feelings of prejudice could exist across a host of intra-ethnic relations given limited employment and economic resources throughout Kenya.

Favoritism

Another channel in which ethnicity may drive voting derives from the perceived biases in the distribution of patronage and services on the part of the government towards certain groups at the exclusion of others. Many scholars recognize the importance of clientelism and patronage to Africa politics (Bates 1974; Cruise O’Brien 1971, 2003; Bayart 1993; Chabal and Daloz 1999). Kitschelt and Wilkinson (2007) assert that

"clientelistic accountability represents a transaction, the direct exchange of a citizen's vote in return for direct payments or continuing access to employment, goods, and services" (2). These include highly personal and individualized goods. Politicians generally use clientelism to favor their group and motivate co-ethnics to vote (Posner 2005; Wantchekon 2003), and reward them with targeted benefits such as public service jobs if successful (Chandra 2004).

Chandra (2004) explicates the direct relationship between electoral competition and patronage, a logic that holds important relevance for current African politics. In what she terms "patronage-democracies," the state "monopolizes access to jobs and services" and "elected officials have discretion in the implementation of laws allocating the jobs and services at the disposal of the state" (6). For citizens to enjoy the fruits that the state produces they must develop relational ties of obligation with politicians. Forms of clientelism—from direct vote buying to public sector employment—are common to many if not all political systems. In new democracies, Keefer (2007) argues the inability of non-viable opposition parties to credibly promise to enact policies drives clientelism. This results in the under-provision of public goods and targeted goods towards a small sub-set of voters.

In Africa, the widespread assumption is that leaders distribute patronage along ethnic lines, favoring co-ethnics and excluding members of other groups. Scholars have tried to explain why ethnicity provides a superior method of mobilization for politicians to target voters. Institutional theories examine the preferences and strategies created by electoral rules for determining the distribution of patronage to co-ethnics (Bates 1983). In his expansive study of Zambia, Posner (2005) describes the support given to co-ethnic

politicians and the concomitant distribution of private goods to voters as a problem of coordination. Ethnicity is a source of information that helps both voters and politicians build expectations about each others' behavior. For voters, the fundamental feature of the political system is the ability to access favoritism from group members as citizens predict behavior of elected leaders based on whether they are co-ethnics. Voters expect their co-ethnic politicians to take care of them more relative to politicians from another group. For politicians, the ethnicity of voters helps provide them with information about who will support them and who will not, given the strategy employed by voters to choose co-ethnics.

Chandra (2004) takes up a similar question as Posner in her study of ethnic patronage in India. She argues that patronage is necessarily ethnic in patronage-democracies because voters generally lack reliable information as to the past performance and policy differentials of candidates. In an information scarce environment, ethnicity provides an important, available, and reliable cue as to how politicians will behave once in office. With reference to ethnic groups, she comments that "…a favour given to one member sends a signal to others that they too can count on him in the future" (56). In India, ethnicity provides the cheapest and easiest signal from politicians to voters as ethnic identification can easily be determined by name. Therefore, when a voter is in a booth, all they need to do is see a candidate's name to vote and maximize their individual utility relative to selecting non co-ethnic candidates. Like Posner, Chandra describes the strategic interaction between voters and politicians as one of coordination, where ethnic identity helps build expectations and provide signals about the delivery of patronage and support in the ballot box.

Why do patterns of distribution favor certain ethnic groups at the exclusion of others? Observers have claimed that ethnic distribution results from African party systems that lack divergent platforms or ideologies found in industrialized democracies (Baudais and Sborgi 2006; Rakner, Svasand and Khembo 2007; van de Walle 2003). Parties also do not appear to produce meaningful policy differentials, and instead suffer from what van de Walle (2003) terms “programmatic homogeneity” (Burnell 2001; Di Lorenzo and Sborgi 2001; Nugent 2001; Posner 2005). Further, parties seem to agree on most “valence” issues, such as reducing crime or increasing development (Ferree 2006, 2011). In a political context where candidates do not offer voters choices between competing platforms or ideologies, the flow of goods becomes more relevant to the individual voter.

Shared ethnic identity provides a superior method of coordination and therefore mobilization (Bates 1974). Given similarities of language and culture, as well as denser social networks, communication and coordination are easier within groups than between them (Hardin 1995; Fearon and Laitin 1996; Habyarimana et *al.* 2009). Co-ethnicity may also produce “norms of reciprocity” (Bates 1974; Taylor 1988) that allow for easier sanctioning of in-group members (Miguel and Gugerty 2005) based on greater information regarding reputation (Platteau 1994).

The belief that the central government favors the ethnic group of the president imbues much of the literature on politics in Kenya (Branch 2011; Throup and Hornsby 1997). Observers believe that the founding President Jomo Kenyatta heavily favored his co-ethnic Kikuyus, and that his successor, Daniel arap Moi, did so with the Kalenjin. One of ODM’s central claims against President Kibaki and PNU was that he directed

government services towards the Kikuyu and related groups, but in so doing ignored much of the country's population. If Kenyans believe that politicians bias the distribution of patronage and services to their favored groups, voters are likely to select the candidate who will provide those benefits.

Limits of Prior Approaches

Studies of ethnic politics in emerging democracies provide a number of logics for why citizens make ethnic decisions at the ballot box. As we have seen already in the Kenyan case, some voters choose candidates based on ethnicity. This may occur between voters who are co-ethnics of the candidates, or voters who rely more upon information about ethnicity than performance to help them decide, regardless of their ethnicity. The specific motivations for both types of voters remain unclear, however, given the number of distinct channels that could undergird these choices.

But a number of puzzles about the sources of ethnic voting remain. Prior work rarely investigates different channels at the individual level, typically only studying electoral outcomes at more aggregated units of analysis. Showing that electoral outcomes correlate highly with the ethnic census does not demonstrate either that ethnicity motivated voting, or if it did, which ethnic logic played a role. First, most constituencies in Kenya are ethnically homogeneous and therefore this approach may only find a spurious correlation between candidate support and ethnicity deriving from unobservable factors, such as government performance. Second, these studies suffer ecological fallacy, or attributing individual behavior from data at higher levels of analysis. Thirds, these studies lack individual-level data altogether, which would be required to understand the

micro-foundational logic of ethnic choices. In certain contexts or elections, some ethnic channels may prove more salient than others. They may also interact and overlap. An important exception is Ferree's (2006, 2011) study of voting in South Africa, where electoral returns do reflect an ethnic census—black South Africans nearly uniformly support the ANC and whites supporting predominately white parties. Ferree uses survey data to investigate whether these electoral patterns result from strong feelings of ethnic attachment, but instead finds that voters use party cues to assess the racial credentials of the ANC and white parties to help distinguish credible from non-credible promises. The attraction of black voters to the ANC does not result simply from identity voting, but rather the selection of a party that blacks view as more inclusive, trustworthy, and likely to deliver.

Previous studies also have a difficult time distinguishing whether support for a co-ethnic is more likely driven by positive evaluations of one's group, or negative evaluations of ethnic strangers. This is problematic for two reasons. The observable implication of the first of these logics is that voters will select co-ethnics when they are on offer—but it does not provide a clear prediction for what voters do that do not have co-ethnics running. The observable implication of the second is that voters will *not* select candidates of groups who they perceive negatively—but does not clearly predict who they will support.

To investigate the determinants of ethnic voting specifically, I take a similar approach to Chapter 2 by relying on the importance of the information relayed through cues. Rather than compare those voters who prefer performance to ethnicity, I examine specifically those voters who gave greater weight to ethnicity in their calculations than

performance. This creates two subsets of voters. The first includes those voters who had a co-ethnic in the race and chose that co-ethnic. The second includes any voter, regardless of their ethnicity, who responded positively to ethnic cues.

Hypotheses

From the ethnic literature, I deduce four hypotheses regarding ethnic channels. They attempt to disentangle the strong feelings of in-group attachments, fear, prejudice, and beliefs about ethnic biases in distribution.

Hypotheses on Ethnic Channels:

$H_{1:}$ *The greater affective ties voters feel towards their ethnic group, the more likely they are to vote for a co-ethnic or rely on ethnic cues* [in-group attachments].

$H_{2:}$ *As voters' fears of opposing ethnic groups increase, so does their likelihood of choosing co-ethnics or rely on ethnic cues* [fear].

$H_{3:}$ *As voters' prejudice of opposing ethnic groups increase, so does their likelihood of choosing co-ethnics or rely on ethnic cues* [prejudice].

$H_{4:}$ *As voters' perceptions of favoritism from the central government increase, so does their likelihood of choosing co-ethnics or rely on ethnic cues* [favoritism].

3. Method and Data

Method

To study the determinants of ethnic voting, I designed, conducted, and implemented a nation-wide household survey in Kenya in the first week of December 2007, approximately three weeks before the election. The survey is nationally-representative and uses the final registry of voters provided by the Electoral Commission of Kenya (ECK) as the sampling frame for a total sample of 2,700 respondents. I included all districts in the survey, with random selection of constituencies and enumeration areas proportionate to the voting population. After selection of enumeration areas, interviewers instituted a random walk and skip pattern for household selection. Within households, interviewers conducted random selection of respondents via Kish Grid. This scientific sampling procedure means that every Kenyan voter had equal probability of selection. Enumerators conducted the survey in English and Swahili.

While the exit poll discussed in Chapter 2 provides an improved method to assess voting behavior generally, the ability to enumerate it in a relatively short amount of time does not make it suitable for certain in-depth explorations, especially regarding the ethnic drivers of the vote. To overcome this, I conducted a household survey that could generally take longer to complete and within the comfort of a respondent's household. I did so close to the election, when voters knew the identity of the candidates contesting office, had been exposed to campaign issues and themes, and formed decisions about voting. Although some of these voters no doubt changed their minds, my purpose here is

not to project a winner but rather explore the ethnic drivers of voters who express a proclivity for making ethnic choices.

Data

I explore the potential underlying motivations for ethnic voting in two ways. Using survey questions allows me to measure the extent of competing theories of ethnic voting. First, I examine the motivations for voters who featured a co-ethnic in the race—the Kikuyu, Luo, and Kamba—and whether or not they reported that they would vote for their co-ethnic candidate (Kibaki, Odinga, and Musyoka, respectively). Table 1 shows candidate support by these ethnic groups. Echoing findings in Chapter 2 on levels of co-ethnic voting, 91 percent of all Kikuyus, Luos, and Kambas voted for their co-ethnic candidate.

Table 1 here

Second, because ethnicity can still motivate individuals who are not co-ethnics of the candidates, I also analyze the full sample of voters. Although many voters will not have a co-ethnic in the race, they may still hold positive or negative evaluations of candidates based on ethnicity. Lacking a co-ethnic candidate does not mean ethnic channels do not play a role in forming choices. If individuals do not field a co-ethnic candidate but still think that their group will be benefit or lose relative to others, voters with strong in-group attachments, fear, prejudice, or beliefs about favoritism may support

candidates from other groups. They are technically voting across ethnic lines, but ethnicity still motivates their decisions.

However, I require a different dependent variable since a majority of these voters could not select a co-ethnic but may be driven by the information that ethnic cues convey. To capture these voters, I utilize an experiment embedded within a survey question that randomized performance and ethnic cues. This experiment exactly mirrors that from Chapter 2. The question came at the beginning of the survey. The ethnic treatment was either a Kikuyu or Luo name reflecting the two main ethnicities vying for the presidency (but not the names of actual candidates). The performance treatment was whether the candidate had performed well or not in office on issues of poverty reduction, service delivery, and job creation. This created four versions of the survey where a single respondent was given one of four scenarios and asked whether or not they would support a well-performing Kikuyu, well-performing Luo, poorly-performing Kikuyu, or poorly-performing Luo.[22] Table 2 shows results across these four scenarios, matching closely the results from the exit poll replication, shown in Chapter 2, Table 13. Both a well-performing Kikuyu and Luo candidate receive 80 percent support. A poorly performing Kikuyu achieves 24 percent support, and a poorly performing Luo gets 23 percent.

Table 2 here

[22] See Chapter 2 for a full description of the survey experiment. I replicated the treatments and question wording on the exit poll; see Table 11. Chapter 2 also includes a discussion over the advantages to using experimental methods on surveys to establish causal identification.

I term "ethnic voters" those that lent more weight to ethnic cues over performance cues –that is, those voters that expressed support for a candidate in the face of bad performance, but knowing their ethnic identity, or those who did not express support for a candidate in the face of good performance, but knowing their ethnic identity. I argue that all else equal and knowing nothing else about a candidate, a voter would never prefer a poorly performing candidate or reject a well-performing candidate. Changes in levels of support after the introduction of the ethnic cue therefore help to measure voters who are more likely to lend weight to ethnic, over performance, cues. Similar to patterns in Chapter 2 when I replicated the experiment on the exit poll, 22 percent of the total sample in the pre-election survey responded positively to ethnic cues in this way. I randomly distributed the four versions of the survey nation-wide so results are derived from the two information treatments, ethnic and performance cues, and not other confounding variables, such as the ethnicity of the respondent. Table 3 presents a balance test to demonstrate efficacy of randomization. The only significant variable predicting treatment is male, which is controlled for in subsequent tests.

Table 3 here

There are two potential problems to the way I have defined ethnic voters in this scenario. First, a positive or negative evaluation of a candidate knowing only their performance record and ethnicity does not necessarily tell us whether a single voter is driven by performance or ethnicity. However, identifying changes across the cells in Table 11, Chapter 2, helps to determine whether voters are more likely to shift support

when switching ethnic treatments or performance treatments. As we saw in Chapter 2, voters appear more sensitive to changes in performance than ethnicity, but some individuals remain positively disposed to ethnic cues regardless of performance. Therefore, I argue that while the measure I describe here does not perfectly identify ethnic voters, it does identify those voters who lend more relative weight to ethnic cues than performance cues.

Second, responses in favor of poor performers could indicate that Kenyan voters like to provide positive responses in general, but not necessarily with respect to the ethnic cue on offer. I suspect this is not the case since Kenyans are not afraid to lend critical opinions of poor performers—in fact, critical opinions are common. Moreover, differences across cells demonstrate important effects of varying treatments. If Kenyans uniformly provide positive responses, the treatments should have no effect.

I test the determinants of ethnic voting in two specifications. In the first, I look at the sub-sample of voters who had co-ethnics in the race and whether or not they choose to vote for them. In the second, I look at the entire sample of voters and whether or not ethnic or performance cues likely determined their support for candidates. The independent variables for each specification are the same and reflect the four ethnic channels through a battery of questions with respect to affective ties of ethnic belonging, fear or prejudice of ethnic others, and views of favoritism.

I now describe how I measure these four ethnic channels. The first question tests whether Kenyans hold strong in-group attachments from affective ties of membership. Building on work by Ferree (2006, 2011), Bratton and Kimenyi (2008), Ferree and Horowitz (2010), and Horowitz and Long (2012), I proxy in-group affection using a

question about identification to measure the degree to which the electorate self-identifies in ethnic terms rather than other terms. Specifically, I ask: "*We have spoken to many Kenyans and they have all described themselves in different ways. Some people describe themselves in terms of their language, ethnic group, race, religion, or gender and others describe themselves in economic terms such as working class, middle class, or a farmer. Besides being Kenyan, which specific group do you feel you belong to first and foremost?*" If people answer a tribal or language answer, they are coded as ethnic identifiers with strong in-group attachments.

Figure 1 here

Figure 1 presents results on ethnic identification. Aggregating responses that mentioned language, tribe, or ethnic group, about 16 percent of the sample identified in ethnic terms.[23] Kenyans were much more likely to answer their identity in terms of class (27 percent) or occupation (21 percent). Thus, overt levels of ethnic identification and strong in-group attachments are low in Kenya.

Table 4 shows results on fear of ethnic others with respect to individual security. The survey asks respondents: "*I want you to think about your safety. In your opinion, if a member of another tribe from your own were elected to the presidency, would you feel safer, less safe, or would it not make a difference?*" Overall, 26 percent of respondents said that they would feel less safe if a member of another tribe were elected president, demonstrating anxiety about rule by ethnic others. Nearly half (49 percent) said it would

[23] These results echo findings from Afrobarometer surveys in Kenya (see Bratton and Kimenyi, 2008).

make no difference, and 18 percent said they would feel safer if a non co-ethnic were president.

Table 4 here

Given a history of electoral violence in Kenya, I want this question to reflect the security situation and the likelihood of post-election violence. To demonstrate the construct validity of this question, the groups with co-ethnic presidential candidates— the Kikuyu, Luo, and Kamba—proved on average more likely to fear for their safety if one of the other group's candidate won the election, perhaps viewing themselves as the ones with the most to lose or the potential targets of election violence. Given that these groups are the most likely to be polarized, in particular the Kikuyu and Luo, it makes sense that they express the most anxiety about their safety. I return to this important finding in Chapter 5.

Next, I turn to feelings of prejudice. Survey design makes it difficult to ask respondents directly whether or not they hold prejudicial views of other ethnic groups since they may be unwilling to answer something they perceive to be socially undesirable. Even in a country with prior levels of social polarization like Kenya, respondents probably do not want to express overt dislike of other groups. To elicit more honest responses, I form a proxy question that measures support for out-group welfare following the format designed by Sniderman and his colleagues (Sniderman et *al*. 1991). The question asks: "*In thinking about other tribes in Kenya, which of the following statements is closest to your opinion? A. The government should help poor tribes raise*

their income. B. People in poorer tribes need to work harder if they want to catch up." This question does not directly probe feelings of prejudice. Most directly, it asks respondents whether they would be likely to support redistribution to other ethnic groups. But recall the role that beliefs about redistribution play with respect to prejudice above. One aspect of prejudice involves preferences for redistribution based on potential negative ethnic stereotypes, such as the belief that some groups are "lazy." I term those respondents who answer that poor tribes are not hard workers to have feelings of ethnic resentment and prejudice. This question presents one kind of prejudicial stereotype, there are certainly others. While it therefore does not capture the universe of potential prejudicial behavior, it does test one with respect to economic position. Conversely, beliefs that the government should do more to help groups demonstrate moderation, and the idea that a group's poverty does not result from negative ethnic stereotyping.

Table 5 shows the total responses plus broken down by ethnicity. Overall, 20 percent of Kenyans demonstrated prejudice against other tribes, while 75 percent remained non-prejudicial. There are small variations between the main ethnic groups, but overall, Kenyans remain tolerant. To demonstrate construct validity of this question, Kikuyus hold the most resentment against other tribes, with 29 percent saying people need to work harder. Similar to Sniderman's findings about the position of ethnic majorities, this accords with our expectations for Kenya given that the Kikuyu are numerically a dominant tribe and on average have enjoyed higher levels of income than other groups. Therefore, they more than any other group should not desire to redistribute and will likely blame other groups for their position. Moreover, the tribes that are considered the poorest and the most economically marginalized, including the Maasai,

Somali, and Kalenjin report the lowest levels of prejudice, which makes sense as they would benefit the most from greater income.

Table 5 here

To see whether Kenyans perceive the distribution of goods and services from the state as biased, I first asked respondents to rate the performance of the central government in delivering services. I then asked a follow-up question: "*In your opinion, which of the following is the most important reason you do not get more services from the central government: misuse of funds, favoritism, or not enough money?*" "Misuse of funds" proxies as a measure for corruption and wastage, and "not enough money" suggests a lack of funds, rather than any misbehavior on the part of political leaders. "Favoritism" as a measure of targeted delivery. Politicians who "favor" their own bias the distribution of services and target them to their areas of core support at the exclusion of others. Moreover, the word "favoritism" in Kenya has ethnic overtones given the view that favoritism is determined by politicians delivering to their areas of ethnic support. If respondents think there is ethnic bias, they should favor their own co-ethnic or the ethnic group they think will likely deliver.

Table 6 here

The total response from Table 6 shows that "favoritism" was the plurality response for all Kenyans, with 33 percent replying that they thought that was the most

important reason they did not receive more services from the central government. However, the other two main responses were nearly equally important, with 31 percent blaming misuse of funds (corruption) and 27 percent blaming a lack of money. To demonstrate construct validity of this question, we again see differences that we expect across groups given that the incumbent president at this time was a Kikuyu. The Kikuyu remain the least concerned about favoritism, perhaps since they have a co-ethnic president in office running the central government, whereas the Kalenjin and Luo remain the most sensitive to favoritism.[24]

4. Results

To see which of the ethnic channels drives ethnic voting, I perform logit analyses in Tables 7-10 in a variety of specifications. In Table 7, the dependent variable is the selection of a co-ethnic for those ethnic groups that fielded a presidential candidate (Kikuyus, Luos, and Kamba). The independent variables in Table 7 derive from positive (=1) (i.e., ethnic) responses on survey questions with respect to the four channels discussed above. These variables are labeled In-Group Attachments, Fear, Prejudice, and Favoritism. Marginal effects and robust standard errors are shown (clustered by constituency), along with a host of demographic controls, including whether the respondent is Kikuyu (the ethnic group in power), age, income, gender, urban/rural, and

[24] Unfortunately, questions similar to the ones I included on fear, prejudice, and favoritism have not been asked on the Afrobarometer. This makes it hard to compare to other cases or situate Kenyan responses in context of other emerging democracies.

education. Given that many ethnic sentiments arise from local competition between groups, I include provincial fixed effects to soak up variation in the dependent variable driven by provincial level factors.

Table 7 here

The results from Table 7 for respondents with co-ethnic candidates show that the only ethnic channel consistently driving co-ethnic voting is fear. The sign on the coefficient for fear is positive, suggesting that *as a person's perceived loss of security from having a non co-ethnic in power increases, so does their likelihood of choosing a co-ethnic*, lending support to Hypothesis 2. A fearful voter is about five percent more likely to vote for a co-ethnic than a non-fearful voter. In-group attachments, prejudice, and perceptions of favoritism are insignificant and therefore fail to explain ethnic voting, disconfirming Hypotheses 1, 3, and 4. Urban voters are also less likely to choose based on ethnicity, and voters with higher incomes are more likely. Given small variation in the dependent variable (about 92 percent of voters with a co-ethnic choose one), I also ran rare events logits for all models (not shown) and the coefficients and significance remain stable.

Table 8 here

Table 8 introduces a different specification of the dependent variable. This includes lending relative weight to an ethnic cue instead of a performance cue from the

survey experiment, and includes the full sample of all respondents, regardless of whether they had a co-ethnic in the race. These results echo those in Table 7: the only consistent predictor of why people choose a poorly performing candidate, but knowing their ethnic identity, is fear. The substantive impact increases from Table 5, with about an eight percent increase in the likelihood of a positive response to an ethnic cue for fearful voters.

To further explore whether having a co-ethnic matters to these results, I break the sample from the experiment into those with co-ethnics (Table 9) and those without (Table 10). The dependent variable in both tables remains the same: the preference of an ethnic cue over a performance cue from the experiment. The results in Table 9 show that only examining co-ethnics, fear still remains a positive prediction of vote choice. In-group attachments and positive evaluation of one's group also drives selection. Male respondents and those who are older are also more likely to be ethnic voters. In Table 10, fear also drives non co-ethnics to respond to ethnic cues, but the negative and significant coefficients on in-group attachments suggest that when voters *without* a candidate in the race have positive assessments of their own group membership, they are less likely to respond positively to the ethnic cues on offer that reflect other groups (in this case, Kikuyu and Luo candidates). Among those without co-ethnics, voters with higher levels of education are also less likely to respond to ethnic cues.

Table 9 here

Table 10 here

Taken together, these tests, using a variety of specifications, find co-ethnics and non co-ethnics of the candidates on offer are likely to respond positively to ethnic cues when they are fearful of ethnic outsiders. Moreover, strong feelings of in-group attachments make voters positively predisposed to ethnic cues when they have a co-ethnic running, while positive group assessments make those without co-ethnics less likely to respond to ethnic cues.

5. Conclusion

Chapter 2 demonstrates evidence that incumbent performance helps explain voting behavior in Kenya. But it is also clear that many voters in Kenya and elsewhere use ethnicity in their voting calculus and will only choose co-ethnic leaders. Others employ ethnic cues even when choosing a candidate from another group. This chapter examined the determinants of choice for these sub-sets of voters. Specifically, it examined four main channels that scholars believe drive ethnic voting, including affective ties of group membership, fear or prejudice towards ethnic outsiders, and expectations about the distribution of patronage and goods from politicians.

I presented two sets of findings. First, my data show that for the sub-set of voters with co-ethnics on offer, as well as the full sample, the prime motivation for ethnic voting arises from fear. Specifically, this means the perceived loss of individual security that results from the election of ethnic outsiders. This result foreshadows the protest and

violence that engulfed Kenya's 2007 election, a subject that I return to in Chapter 5. Second, comparing the responsiveness of voters to ethnic cues from the experiment for co-ethnics and non co-ethnics, I find that positive evaluations of group membership helps drive co-ethnics of candidates towards support, while apparently pushing non co-ethnics away. Affective ties of membership therefore have both positive and negative effects, depending on whether one's group fields a candidate.

This chapter provides two contributions to current work on the importance of ethnicity to politics in divided societies. First, it rigorously explores and tests, with individual level data, the logic behind competing ethnic theories of voting behavior. Of course, these channels may gain or lose significance in different elections or settings—my tests do not demonstrate the universality of the role of fear of ethnic outsiders. Given a history of communal violence in Kenya, fear may prove a more potent force there than elsewhere. The relationships I found between fear and ethnic politics in my pre election survey foreshadow the arguments that I make to explain the trajectory of post election violence that followed the 2007 elections.

Second, my tests explicitly take into account the reality that ethnic drivers of voting may retain varying levels of significance conditional on whether a voter assesses a co-ethnic or not. Interestingly, in-group attachments matter for both sets of voters, but in different ways. Positive evaluations of group membership for co-ethnics drives those voters to respond positively to ethnic cues, while it drives non co-ethnics away from ethnic cues.

Table 3.1: Presidential Vote by Ethnic Group for Groups with a Co-ethnic Candidate

	Presidential Vote			**All Voters**
Ethnic Group	Kibaki	Odinga	Musyoka	
Kikuyu (Kibaki)	94	4	1	23
Luo (Odinga)	1	99	0	13
Kamba (Musyoka)	13	4	82	11

Source: Pre-election survey, row percentages

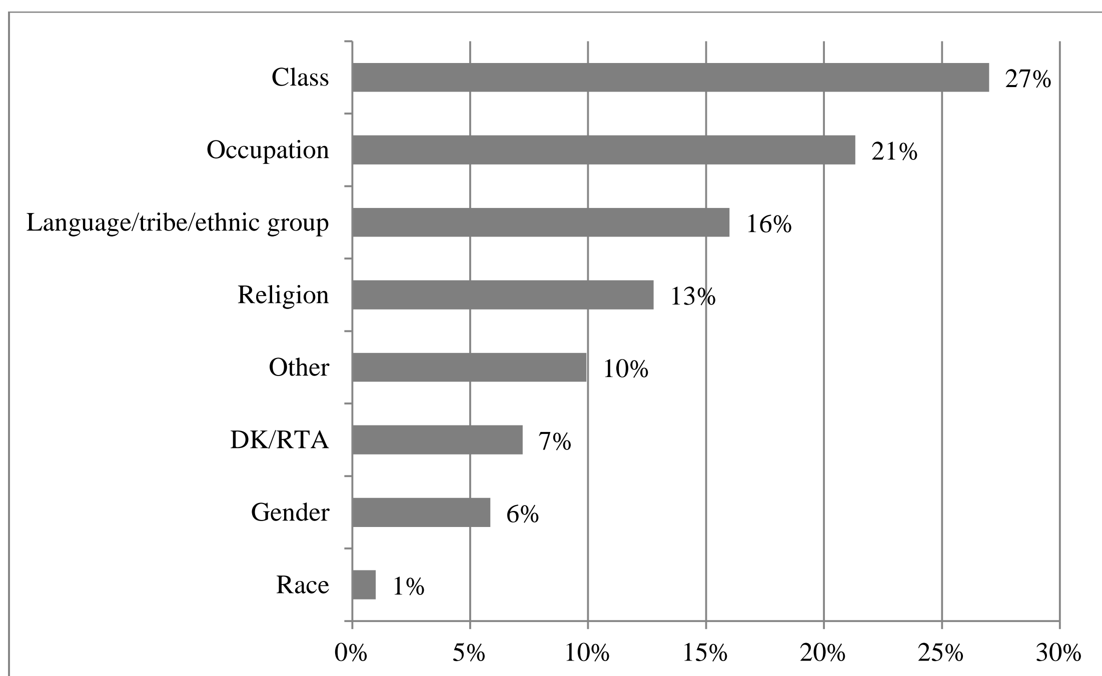

Figure 3.1: Ethnic Attachment
Source: Pre-election survey

Table 3.2: Survey Experiment (percent answering "very" or "somewhat" likely to support hypothetical candidate, N=2,700)

	Good Performer	**Poor Performer**	***Difference***
Kikuyu	80%	24%	*56%*
Luo	80%	23%	*57%*
Difference	*<1%*	*1%*	

Table 3.3: Balance Test of Experiment Randomization

	Treatment Assignment	*p-value*
Kikuyu	0.011	0.840
	(0.05)	
Luo	0.017	0.802
	(0.07)	
Age	0.095*	0.045
	(0.05)	
Income	0.049	0.414
	(0.06)	
Urban	0.008	0.864
	(0.05)	
Education	0.057	0.279
	(0.05)	
Male	0.007	0.880
	(0.04)	
Constant	2.405***	0.000
	(0.05)	
N	2700	
R2	0.002	

Coefficients and standard errors (in parentheses) shown; lack of p-values <0.10 demonstrate efficacy of randomization

Table 3.4: Ethnic Fear

	Safer	*Less Safe*	*Not make a difference*	*DK/RTA*
Groups with candidates				
Kikuyu (Kibaki)	*15*	*36*	*43*	*6*
Luo (Odinga)	*17*	*28*	*49*	*5*
Kamba (Musyoka)	*11*	*36*	*47*	*6*
Groups without candidates				
Kisii	31	15	52	2
Luhya	28	15	50	6
Somali	17	9	55	18
Meru	7	36	48	9
Kalenjin	24	18	52	6
Mijikenda	13	9	67	11
Maasai	12	19	65	4
Other	13	32	42	13
Total	*18*	*26*	*49*	*7*

Source: Pre-election survey, row percentages

Table 3.5: Ethnic Prejudice

	Non-Prejudice	*Prejudice*	*DK/RTA*
Groups with candidates			
Kikuyu	*67*	*29*	*4*
Luo	*79*	*17*	*3*
Kamba	*79*	*16*	*5*
Groups without candidates			
Kisii	69	28	2
Luhya	80	17	3
Somali	78	8	14
Meru	71	22	6
Kalenjin	81	15	4
Mijikenda	76	23	1
Maasai	90	6	4
Other	81	12	6
Total	*75*	*20*	*5*

Source: Pre-election survey, row percentages

Table 3.6: Ethnic Favoritism

	Misuse of Funds	Favoritism	Not Enough Money	DK/RTA/ Other
Groups with candidates				
Kikuyu	*28*	*13*	*46*	*14*
Luo	*29*	*56*	*11*	*3*
Kamba	*28*	*30*	*34*	*7*
Groups without candidates				
Kisii	28	40	26	6
Luhya	38	42	13	7
Somali	46	22	26	6
Meru	31	20	41	8
Kalenjin	27	50	18	6
Mijikenda	53	25	16	5
Maasai	33	52	12	4
Other	31	25	30	14
Total	*31*	*33*	*27*	*8*

Source: Pre-election survey, row percentages

Table 3.7: Logit Regression Predicting Ethnic Voting for Voters with a Co-ethnic (DV=1 co-ethnic vote)

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
I. Ethnic Channels						
In-Group Attachments	0.012				0.007	0.008
	(0.02)				(0.02)	(0.02)
Fear		0.049*			0.051*	0.049*
		(0.02)			(0.02)	(0.02)
Prejudice			-0.012		-0.015	-0.015
			(0.02)		(0.02)	(0.02)
Favoritism				0.020	0.015	0.016
				(0.03)	(0.02)	(0.02)
II. Controls						
Kikuyu	-0.006	-0.010	-0.005	-0.000		-0.004
	(0.04)	(0.03)	(0.03)	(0.04)		(0.03)
Age	0.024	0.024	0.024	0.024		0.025
	(0.02)	(0.02)	(0.02)	(0.02)		(0.01)
Income	0.036*	0.037*	0.035*	0.036*		0.038*
	(0.01)	(0.01)	(0.01)	(0.01)		(0.01)
Male	-0.016	-0.015	-0.016	-0.016		-0.015
	(0.02)	(0.01)	(0.02)	(0.01)		(0.01)
Urban	-0.049 +	-0.047 +	-0.050 +	-0.049 +		-0.046
	(0.02)	(0.02)	(0.02)	(0.02)		(0.02)
Education	-0.013	-0.013	-0.014	-0.014		-0.013
	(0.01)	(0.01)	(0.01)	(0.01)		(0.01)
Constant	0.949***	0.934***	0.954***	0.943***	0.904***	0.929***
	(0.03)	(0.03)	(0.03)	(0.03)	(0.01)	(0.03)
Province FE?	Yes	Yes	Yes	Yes	Yes	Yes
N	1248	1248	1248	1248	1248	1248
Pseudo-R2	0.014	0.021	0.014	0.014	0.010	0.023

Source: Pre-election household survey

+p<.1 * p<0.05, ** p<0.01, *** p<0.001

Marginal effects and robust standard errors clustered at the constituency level

Table 3.8: Logit Regression Predicting Ethnic Voting for All Voters (DV=1 co-ethnic cue chosen in experiment)

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6
I. Ethnic Channels						
In-Group Attachments	-0.005				-0.005	-0.009
	(0.02)				(0.02)	(0.02)
Fear		0.075**			0.077**	0.075*
		(0.02)			(0.02)	(0.02)
Prejudice			-0.010		-0.011	-0.010
			(0.02)		(0.02)	(0.02)
Favoritism				0.026	0.022	0.022
				(0.02)	(0.02)	(0.02)
II. Controls						
Co-Ethnic	-0.006	-0.015	-0.005	-0.004		-0.013
	(0.02)	(0.02)	(0.02)	(0.02)		(0.02)
Age	-0.017	-0.017	-0.017	-0.016		-0.016
	(0.02)	(0.02)	(0.02)	(0.02)		(0.02)
Income	-0.021	-0.019	-0.020	-0.020		-0.019
	(0.02)	(0.02)	(0.02)	(0.02)		(0.02)
Male	-0.008	-0.007	-0.008	-0.009		-0.007
	(0.01)	(0.01)	(0.01)	(0.01)		(0.01)
Urban	-0.028	-0.025	-0.028	-0.027		-0.024
	(0.02)	(0.02)	(0.02)	(0.02)		(0.02)
Education	-0.046	-0.043	-0.046	-0.047		-0.045
	(0.03)	(0.03)	(0.03)	(0.03)		(0.03)
Constant	0.279***	0.258***	0.280***	0.270***	0.194***	0.255***
	(0.02)	(0.01)	(0.02)	(0.02)	(0.01)	(0.02)
Province FE?	Yes	Yes	Yes	Yes	Yes	Yes
N	2700	2700	2700	2700	2700	2700
Pseudo-R2	0.005	0.011	0.005	0.006	0.007	0.012

Source: Pre-election household survey

+p<.1 * p<0.05, ** p<0.01, *** p<0.001

Marginal effects and robust standard errors clustered at the constituency level

Table 3.9: Experimental Results from Co-ethnics (N=1,248) (DV=1 for Positive Response to Ethnic Cue)

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7
I. Ethnic Channels							
In-Group Attachments	0.047 +				0.048*	0.042*	0.073 +
	(0.02)				(0.02)	(0.02)	(0.03)
Fear		0.071			0.072	0.068	0.084 +
		(0.04)			(0.04)	(0.04)	(0.04)
Attachments*Fear							-0.078
							(0.05)
Prejudice			0.023		0.018	0.017	0.016
			(0.02)		(0.02)	(0.02)	(0.02)
Favoritism				-0.004	-0.007	-0.008	-0.007
				(0.03)	(0.03)	(0.03)	(0.03)
II. Controls							
Kikuyu	0.023	0.016	0.020	0.021		0.013	0.012
	(0.03)	(0.03)	(0.03)	(0.03)		(0.03)	(0.03)
Age	-0.042 +	-0.043 +	-0.044 +	-0.044 +		-0.042 +	-0.043 +
	(0.02)	(0.02)	(0.02)	(0.02)		(0.02)	(0.02)
Income	-0.048	-0.048	-0.051	-0.051		-0.046	-0.046
	(0.04)	(0.04)	(0.04)	(0.04)		(0.04)	(0.04)
Male	-0.022*	-0.022 +	-0.023*	-0.022*		-0.022*	-0.021 +
	(0.01)	(0.01)	(0.01)	(0.01)		(0.01)	(0.01)
Urban	-0.016	-0.015	-0.019	-0.018		-0.013	-0.016
	(0.03)	(0.03)	(0.03)	(0.03)		(0.03)	(0.03)
Education	-0.027	-0.026	-0.027	-0.027		-0.025	-0.023
	(0.04)	(0.04)	(0.04)	(0.04)		(0.04)	(0.04)
Constant	0.258***	0.245***	0.265***	0.271***	0.178***	0.236***	0.230***
	(0.03)	(0.03)	(0.03)	(0.03)	(0.02)	(0.04)	(0.04)
Province FE?	Yes	Yes	Yes	Yes	Yes	Yes	Yes
N	1248	1248	1248	1248	1248	1248	1248
Pseudo-R2	0.010	0.015	0.009	0.008	0.010	0.016	0.018

Source: Pre-election household survey

+p<.1 * p<0.05, ** p<0.01, *** p<0.001

Marginal effects and robust standard errors clustered at the constituency level

Table 3.10: Experimental Results from Non Co-ethnics (N=1,452) (DV=1 for Positive Response to Ethnic Cue)

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7
I. Ethnic Channels							
In-Group							
Attachments	-0.078*				-0.071*	-0.081*	-0.085*
	(0.03)				(0.03)	(0.03)	(0.03)
Fear		0.066*			0.072*	0.065*	0.062 +
		(0.02)			(0.02)	(0.03)	(0.03)
Attachments*Fear							0.019
							(0.08)
Prejudice			-0.035 +		-0.035 +	-0.033 +	-0.033 +
			(0.02)		(0.02)	(0.02)	(0.02)
Favoritism				0.039	0.032	0.036	0.036
				(0.04)	(0.04)	(0.04)	(0.04)
II. Controls							
Age	0.010	0.008	0.006	0.009		0.010	0.010
	(0.02)	(0.02)	(0.02)	(0.02)		(0.02)	(0.02)
Income	0.011	0.011	0.013	0.012		0.013	0.013
	(0.02)	(0.02)	(0.02)	(0.02)		(0.02)	(0.02)
Male	0.007	0.008	0.007	0.005		0.009	0.008
	(0.02)	(0.02)	(0.02)	(0.02)		(0.02)	(0.02)
Urban	-0.047	-0.042	-0.046	-0.044		-0.042	-0.042
	(0.03)	(0.03)	(0.03)	(0.03)		(0.03)	(0.03)
Education	-0.072 +	-0.065	-0.068	-0.070		-0.072 +	-0.072 +
	(0.04)	(0.04)	(0.04)	(0.04)		(0.04)	(0.04)
Constant	0.288***	0.258***	0.280***	0.261***	0.215***	0.266***	0.267***
	(0.03)	(0.02)	(0.03)	(0.03)	(0.02)	(0.03)	(0.03)
Province FE?	Yes	Yes	Yes	Yes	Yes	Yes	Yes
N	1452	1452	1452	1452	1452	1452	1452
Pseudo-R2	0.014	0.013	0.010	0.011	0.011	0.021	0.021

Source: Pre-election household survey

+p<.1 * p<0.05, ** p<0.01, *** p<0.001

Marginal effects and robust standard errors clustered at the constituency level

Chapter 4

Electoral Fraud

1. Introduction

Previous chapters explored the role of the vote for citizens to establish linkages of democratic accountability with politicians in Kenya. In equilibrium, democratic elections should allow citizens to improve government performance by sanctioning errant leaders and vote for politicians that promise to enact reforms and perform well. But in spite of voters' attempts to hold politicians responsible, citizens cannot guarantee political accountability on their own. In Africa, politicians frequently undermine elections to prevent voters from throwing them out of office. They curtail legal electoral practices through unfair manipulation of the vote, particularly when they perceive voters are likely to unseat them. Elections therefore fail as accountability mechanism because politicians fail to treat them that way.

This chapter explores the causes, methods, and consequences of electoral fraud. Following Riker (1982), Lehoucq (2003) terms voting as a classic social choice problem of how best to translate preferences into outcomes as people cast ballots and votes transpose into seat shares. Egregious electoral mismanagement and manipulation go further and compound these problems by blocking the preferences of citizens and

producing destabilizing outcomes like protest and violence. "Fraud" could include artificial attempts to bloat registries, infractions with respect to electoral laws, classic "stuffing and burning" of ballots, vote-buying, or undue influence over electoral commissions (Alvarez, Hall, and Hyde 2008; Lehoucq 2003).

Many African countries have conducted dubious contests. As I show in Chapter 1, the increase in competitive elections in Africa over the last 20 years has also seen a consistent pattern of problems of whether they are free and fair. For example, allegations of fraud are consistently lodged against Robert Mugabe in successive electoral rounds in Zimbabwe (Makumbe 2002, 2006), as well as in Ethiopia (Abbink 2006; Harbeson 2005) and Nigeria (Berber and Scacco 2009; Collier and Vicente 2008; Herskovits 2007). Prior approaches to the study of fraud focus on methods of detection and measurement strategies (Berber and Scacco 2008; Kanyinga, Long, Ndii 2010; Mebane 2008; Myagkov, et *al.* 2009), or strategies to reduce it (Callen and Long 2012; Hyde 2007, 2010). Here, I join a growing literature on the political logic of rigging (Callen and Long 2012; Ferree and Long 2012).

In this chapter, I examine a specific institutional failure with respect to Kenya's 2007 election that severely vitiated the accountability mechanism elections should promote. The Electoral Commission of Kenya (ECK), responsible for running the elections and counting the votes, proved open to manipulation and subsequently the presidential results announced were fraudulent. The predicted closeness of the presidential race before the election may have contributed to an irresistible temptation on all sides – both the government/Party of National Unity (PNU) and the main opposition/Orange Democratic Movement (ODM) — to participate in fraud. The final

and well-publicized public opinion poll released by the Steadman Group declared the race "too close to call," two weeks before the election, with ODM garnering 45 percent of the intended vote while PNU registered 43 percent. This narrow margin suggested the importance of turnout and left the contest essentially a toss-up.

Politicians have various strategies to help them gain and retain office. In Chapters 2 and 3, we have seen the importance of garnering votes by performing well, as well as relying on ethnic support. Recall that voter evaluations of the incumbent Mwai Kibaki's performance in office were mixed, but not enough to guarantee him victory. Nor were his co-ethnic Kikuyus a large enough percentage of the population that he could fall back on ethnic support alone. In institutionally weak settings where politicians and bureaucrats enjoy corrupt linkages, candidates can employ an additional strategy to gain office: rigging votes. Close races where the winner is in doubt create scenarios where illegal manipulation may put a candidate over the winning threshold. But rigging also incurs potential costs. International or domestic monitors may document cheating, and various legal institutions, including courts, could sanction candidates or nullify results. Fraud can spark post-election protest and violence, a subject I address in the next chapter. Disruption and instability imposes costs on the government, and may lead to the deaths of opposition supporters via state repression.

Given incentives and costs to rigging, how do incumbents and challengers alter results? I argue that commitment problems guaranteeing a free and fair race and a lack of an independent third party to support a credible electoral process creates permissive conditions for wide-spread corruption on the part of incumbents and opposition members. I hypothesize that the incumbent PNU rigged locally in areas of strong political support,

as well as nationally through control of the electoral commission. The incumbent's upper bound on rigging is limited by not being able to rig in areas of strong opposition support, where a lack of political support makes buying off election officials expensive. Conversely, a lack of nation-wide political control severely limited the opposition Orange Democratic Movement (ODM). ODM rigged in their homelands, but were constrained by PNU's nation-wide dominance and control of the ECK.

Although various observers charged allegations of vote rigging, understanding its nature and extent prove difficult since corrupt agents frequently hide bad behavior. On the one hand, observers note particular types of mismanagement and malfeasance (European Union 2008, Independent Review Commission 2008), but they are not in a position for the most part to make a judgment about the actual effects of these actions and whether it matters towards the winning margin. My approach permits an assessment of the *extent* of rigging. In this chapter, I use three methods to establish first that vote rigging took place; and second that it was large enough to influence the electoral outcome. First, I provide a narrative account of how PNU exerted control over the ECK. Second, I compare official results with those from the exit poll. The exit poll provides the only independent verification of the vote for Kenya's election. Third, I employ a forensic examination of election returns based on the original constituency-level results forms before they were altered by the ECK at the national tally center, as well as the certified results. I rely on three measures of electoral malfeasance, including deviations in results from the exit poll compared to the official results, unrealistically high turnout figures, and differences in turnout between presidential and parliamentary races in the same constituency (indications of presidential ballot stuffing).

To preview results, I find that variation in malfeasance follows from the different and asymmetric strategies available to the incumbent and opposition party based on political control. PNU rigged heavily in their local areas of political support. My findings also show that given a partisan and pro-incumbent ECK, the Party of National Unity (PNU) and President Kibaki used the commission to undermine votes nation-wide in order to increase vote shares beyond the margin necessary for victory. They did this to satisfy both requirements of winning office in Kenya: that a candidate takes a plurality of votes nation-wide and at least 25 percent of the vote in any five of eight provinces. ODM also increased their vote shares locally in areas of political control, but were constrained by their lack of control over the ECK. Compared together, PNU rigged more and by enough to gain office illegitimately. I conclude that a fairly counted vote would have reflected voters' desire for change—that is, an Odinga victory.

I first review background to the case of electoral fraud in Kenya's 2007 election. Second, I present a theory with incumbents and opposition parties showing how fraud arises from credible commitment problems of close elections and weak third-party institutional enforcement. The theory produces two observable implications on the strategies of rigging for incumbent and opposition parties based on their levels of political control. Next, I explore the observable implications of the model using a narrative account of PNU's influence over the ECK and two novel quantitative datasets that I have constructed, including the exit poll and elections forensics. Last, I conclude the chapter by discussing the ways in which international observers impose costs on potentially deterring cheating, and the specific role that they played in Kenya's election.

The European Union proved instrumental in raising the issue of fraud, whereas the US, the sponsors of the exit poll, helped secure Kibaki's victory.

2. Fraud and the 2007 Election

"The person who caused all of this is Kivuitu by his statement that he did not know who won. He was so casual about a very serious issue." Male respondent in Kibera, Nairobi

In this section, I provide background information to the problem of rigging in Kenyan elections, with a narrative account of how events unfolded during the count in 2007. In particular, I focus on the institution responsible for running elections, the Electoral Commission of Kenya (ECK), and its Chairman, Samuel Kivuitu.

While opposition members frequently feared and claimed rigging as former President Daniel arap Moi was returned to office in the first two multi-party elections of 1992 and 1997, a divided opposition against his KANU ticket guaranteed his victory with or without serious electoral malfeasance (Throup and Hornsby 1997; Kanyinga, Okello, and Akech 2010). However, observers believe that Moi and KANU frequently rigged local parliamentary races, especially at party primaries, and that these races produced frequent violence between party supporters and state security forces (Hornsby 2012; Throup and Hornsby 1997).

Successful party turnover occurred in 2002 when Mwai Kibaki's NARC coalition defeated KANU and Moi's chosen successor, Uhuru Kenyatta. Kibaki's victory margin

proved insurmountable for KANU: he took 62 percent of the vote to Kenyatta's 31 percent (Electoral Commission of Kenya 2002). Despite fears that Moi would help Kenyatta and KANU parliamentary candidates rig, Moi left office without wide-scale malfeasance or protest and Kenyatta recognized Kibaki and NARC's success. This peaceful party turnout helped to cement the position of the ECK and their Chairman Samuel Kivuitu as a central element in Kenya's democratic transition. Despite a history of problematic races, the ECK appeared robust and capable. But the massive support and projection of victory for Kibaki and his widely popular NARC coalition in 2002 never put that election in doubt.

The 2007 pre-election period proved more contentious. Given the closeness of the race and fear that the incumbent PNU would manipulate the ECK, the main opposition party ODM raised various accusations before election day claiming PNU would attempt to prevent a legitimate ODM victory, in particular, by rigging Raila Odinga out of his Langata parliamentary seat (effectively disqualifying him for the presidency under the constitution) (*Standard on Sunday* 2008).

Kivuitu's success in 2002 convinced observers and the international community that 2007 would remain clean. In October 2007 I met with the International Republican Institute's (IRI) country director Kenneth Flottman and USAID's Kenya lead democracy and governance advisor, Sheryl Stumbras. Stumbras communicated that while USAID's interest in supporting the exit poll was first as an independent check against the results, she had absolute confidence in Kivuitu's ability to resist pressure from either side. Echoing these statements, in a statement to the *East African* newspaper ten days before the election, US Ambassador Michael Ranneberger declared that he expected a "free,

fair, and transparent" race (Ombuor 2007). However, evidence at this time pointed to that PNU's attempted to influence electoral institutions. A few weeks before the polls, Kibaki replaced 19 of 22 commissioners at the ECK. ODM protested loudly and said they were PNU stalwarts, but they could do little.

Although voting itself remained mostly calm and peaceful on the day of the 2007 election, confusion and delay over the announcement of electoral returns by the ECK created a sense of unease, unrest, and eventually violence.[25] The count began after polls closed on the evening of December 27th, and by the next night (approximately 9:37 pm), Chairman Kivuitu began to communicate potential problems at his press briefing, stating: "I hear there is a communication problem that phone lines have been blocked, even in my office right now I cannot ring out but I can receive." In early results on the 27th and 28th, Odinga maintained a consistent lead. But results reported in the morning newspapers on the 29th showed that President Mwai Kibaki was closing the gap with Odinga and the race became a toss-up. Moreover, continued and inexplicable delays in the reporting of complete and certified results began to degrade the credibility of the ECK and Kivuitu, and as a result, isolated protests began in Nairobi and elsewhere on the morning of the 29th. By 6pm that night, Kivuitu cut short the reporting of any further ballots and declared that representatives from both parties would participate in an audit of results from all 210 constituencies over the course of that evening.

At about the same time, the various media outlets stopped relaying results. This concerned observers both because media outlets had been relaying the official results

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[25] The timeline and recounting of events presented here come from a reconstruction of events based on obtaining tapes of Kenya's major television broadcasters, as well as reports published by Kenya's two major national newspapers, *The Nation* and *The Standard*.

from the ECK, but also their own results as they reported from the constituency counts. Eventually, the media houses claimed that they had lost their data from a system error and have never released complete results.[26] Kivuitu announced that he had received results from 180 constituencies; but as Odinga's lead diminished to 38,002, ODM continued to assert irregularities. The European Union Observer Mission publicized specific problems in the constituency totals from Molo and Kieni constituencies, where totals had been crossed out with new numbers inexplicably inserted.

Shortly after 5pm the following day, December 30th, Kivuitu attempted to hold a press conference to announce the final results from remaining constituencies and therefore the presidential winner. Scuffles between ODM and the General Services Unit (GSU) officials broke out, shutting down the press conference. ODM held their own press conference in which they highlighted discrepancies in the presidential count from select constituencies, but at about 5:30pm in an undisclosed location inside of ECK headquarters in Nairobi, Kivuitu announced Kibaki's re-election on the state-run Kenya Broadcasting Corporation (KBC) with a victory of 225,174 votes (see Table 1), or roughly 2 percent of the vote. Within an hour, KBC broadcast Kibaki's swearing in but many parts of the country had already erupted in protest and violence.

Table 1 Here

[26] Kanyinga, Long, and Ndii (2010) study the differences between the KTN (Kenya Television Network) and ECK results and find a number of discrepancies, but they are unable to distinguish whether the errors are attributable to KTN or the ECK. None of the media houses to this day have released their completed data from the count.

Despite the appearance of wrong-doing and objections from ODM, trying to uncover what really happened with Kenya's 2007 vote count proves difficult. In addition to stories in media monitoring, a few prior studies of produce a variety of important insights. Chief among these includes the report that Independent Review Commission (IREC) (commonly called the "Kriegler Commission," after the name of its chairman, Johann Kriegler, a former South African judge and electoral commissioner) published. After the signing of the National Accord between Kibaki and Odinga, the government empanelled IREC to investigate the elections. In IREC's report, the investigative body enumerates numerous mistakes in the management and operations of the ECK. It finds problems with everything from the voter's registry to the structure and rules governing the ECK. However, IREC argues that the problem with this election was not about its management alone, but also involved the complicity of the Kenyan public. "Though the ECK is primarily responsible for the flaws in the 2007 general elections, Kenyan society has long condoned, if not actively connived at, perversion of the electoral process" (IREC 2008: 10). This dissertation argues that rather than showing complicity with accountability failures, the Kenyan public votes with an eye towards performance and improvements.

IREC examines results from 19 of 210 constituencies in which it discovers a wide variety of errors that it attributes to problems of data entry and aggregation. This is a disturbing trend that the commission ascribes to simple math errors, but may also show deliberate malfeasance. Unfortunately, the 19 constituencies they choose to study were not scientifically selected but rather chosen purposively, so results drawn from that sample cannot be projected to the population of constituencies. 19 constituencies is also

too small of a sample to form strong inferences about the entire electoral process. As a result, the conclusions of IREC tell us very little about the scope or breadth of fraud for all 210 constituencies.

Other journalistic and qualitative investigations have relayed various aspects to how the counting of ballots took place and why suspicions arose with respect to rigging. Throup (2008) argues that early announcements from ODM strongholds contributed to the expectation that ODM was headed for victory over PNU, even though PNU strongholds were not announced until later. But this of course begs the question of why the ECK held results from PNU strongholds (and my results show this may be consistent with rigging). Other accounts focus precisely on those constituencies that were announced late by the ECK. Bengali (2008) reports that observers inside of the ECK's headquarters claim that massive systematic fraud happened inside the commission at headquarters in Nairobi, and that there was false aggregation and subtraction of votes during the certification process in PNU's favor. *The Standard on Sunday* (2008) also recounts the activities of various commissioners who added votes to Kibaki's total in his home region of Central province after initial results suggested a likely victory for Odinga. Observers and journalists are unclear on Kivuitu's exact motivations—whether malfeasance occurred with his overt complicity or simply under his nose, and the degree to which he acted at PNU's behest or simply lost control of events as they unfolded. Eventually, Kivuitu commented that he did not really know who won the election.

All told, while some anecdotal and qualitative data exists to suggest Kenya's 2007 count was problematic, there has been little forensic investigation into the results; comparisons with independent sources of data; quantification of how much rigging

occurred, by whom, and if enough to have affected the winner. An important exception to this is my examination with Karuti Kanyinga and David Ndii's of vote returns, specifically outlier discrepancies in presidential and parliamentary turnout (Kanyinga, Long, and Ndii 2010). I discuss and expand on these findings in this chapter. Nor have prior investigations focused on the strategies employed by incumbent and opposition parties, or the political logic of election fraud.

3. Theoretical Foundations

The Political Logic of Electoral Fraud

Why and how do politicians rig elections? Rather than examine the decision to hold elections, I start from the premise that political parties, both incumbent and opposition, agree to a race.[27] Elections are a gamble that all sides recognize could increase or decrease their post-election share of power. Given that a lottery (election) will occur and therefore either side can lose, parties must calculate their expected utility of losing against their ability to prevent that outcome through both fair and unfair means. If both sides believe they can lose, they have incentives to manipulate ballots.

As the race becomes closer between incumbents and challengers, the marginal cost of fraud falls relative to the loss of power in policy-making in the post-electoral period. This is because the actual number of votes that have to be rigged to win declines.

[27] After the transition to multi-partyism in 1991 in Kenya, incumbents and opposition parties have agreed to contest elections and not boycott them.

Therefore, both sides are more likely to cheat. As the race becomes wider between parties, the marginal cost of cheating increases as they require more fraudulent votes and therefore they are less likely to rig. Similar to problems of bargaining in war (Fearon 1995; Lake 2003; Lake and Rothchild 1998; Powell 2006), the role of information and uncertainty looms large. As reliable polling data becomes wide-spread even in poor countries, parties will better assess their chances of victory. In his study of civil wars, Fearon (1998) notes that the more parity that exists between groups the more likely that a relative shift in power will exacerbate credible commitment problems. The same can be said of elections—the more both sides think they may win—the harder for them to credibly commit to run a clean race. Closer elections should tempt both sides to cheat—in the shadow of a close race, the marginal cost of cheating is less than the costs of turning out to be on the losing side.[28] In more institutionalized settings, robust electoral institutions, like independent commissions, create a bulwark again parties' ability to cheat and overcome commitment problems. In emerging democracies with younger and weaker institutions that lack a third party check against corrupt practices, parties are better able to cheat.

Figure 1 aggregates a number of pre-election polls taken before Kenya's 2007 election. Two consistent patterns are important to note. The first is that Odinga and Kibaki remained in a tight race in the few months leading up to the election, and Odinga only led by a few points going into election day. The second is that Musyoka held a distant third—with no chance of catching up to the two front-runners (Horowitz and

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[28] Notice here I am talking about the closeness of the national race, not the closeness of the race in any one province or constituency. In the next section, I explain why given a close election overall, parties target certain provinces and constituencies to rig.

Long 2012; Owino and Kiage 2010). Given the wide media coverage of the horse race and how accurately PNU and ODM supporters perceived it (Horowitz and Long 2012), both sides knew that race was a toss-up. Manipulation could put either side over the winning threshold.

Figure 1 here

Within the framework of a tight election with weak institutions, parties have a portfolio of potential rigging strategies, some of which are more valuable than others. I derive predictions about rigging strategies from understanding the costs of fraud based on a party's level of political control. Given the strong correlation between candidate support and ethnicity, we should expect Kibaki and Odinga to think they will get a large number of votes from their home areas. For Kibaki, this includes Central province which has a high population of Kikuyus, and for Odinga, this includes the Luo parts of Nyanza province. Candidates have nearly universal levels of support in these areas, making it difficult for opposition agents or election observers to report on or prevent malfeasance. In these areas, parties have stronger linkages to election workers and can more easily bribe them and monitor their behavior. But it remains difficult to attribute fraud in home areas from the actions of parties alone. Election officials may rig to support parties without being told, and some voters, including party stalwarts, may participate in double-voting in support of their co-ethnic candidates. Regardless of their exact source, fraudulent vote should be increasing in areas of strong party support.

In addition to rigging in their home areas, incumbent parties also have another strategy in their portfolio of fraud. They may try and influence the national tally of votes by controlling the electoral commission. I argue that given a partisan and pro-incumbent ECK, the Party of National Unity (PNU) and President Kibaki used the commission to undermine votes nation-wide in order to increase vote shares beyond the margin necessary for victory. They did this to satisfy both requirements of winning office in Kenya: that a candidate takes a plurality of votes nation-wide, and at least 25 percent of the vote in any five of eight provinces. While rigging in Central province helped Kibaki's total votes, pre-election polling put his ability to meet the 25 percent threshold in doubt. Therefore, he needed to artificially inflate his numbers in additional provinces which required control over the ECK. Given Odinga's popularity in Nyanza and Kibaki's success in Central and to a lesser extent Eastern province, that leaves contested provinces as the likely location of rigging in favor of PNU.

Given incentives to rig, parties are still constrained by the costs of getting caught. Courts in Kenya hear election disputes, and depending on the evidence may hold off on certification and require by-elections. Parliamentary by-elections are common in Kenya, and courts have frequently over-turned results. Even though the courts are partisan and mostly staffed by the incumbent, there is the possibility that they will not always act in favor of PNU. Second, there are domestic and international monitors that may detect cheating and report on it. A large civil society group monitored Kenya's election, as did a number of international missions. I return to their impact on the election in the last section, but they may report on malfeasance and either force petitions in courts which could overturn results, or at least question the legitimacy and credibility of the race which

may encourage protest. Third, the strength of local party support in a candidate's home area makes it essentially impossible for other parties to rig there. Not even PNU could successfully buy off election officials in strong ODM areas. Trying to do would raise the risk of getting caught and blowback. Last, the perception of an illegitimate race on the part of the public can spark post-election protest and violence. Disruption and instability imposes costs on the government, and may lead to the deaths of opposition supporters via state repression. I return to this subject in the next chapter.

All told, the incumbent's upper bound on rigging is limited by not being able to rig in areas of strong opposition support, where a lack of political control makes buying off election officials expensive. But PNU does rig locally in their areas of strong support, as well as nationally by controlling the ECK. Conversely, a lack of nation-wide political control severely limited the opposition Orange Democratic Movement (ODM). They rigged in their homelands and areas of strong political support, but were constrained by PNU's nation-wide dominance and control of the ECK. Compared together, PNU rigged more and by enough to gain office illegitimately.

Focusing on the political logic of electoral fraud, I deduce the following hypotheses:

$H_{1:}$ *Fraudulent votes are likely increasing in areas of strong ODM and PNU support.*

$H_{2:}$ *The incumbent PNU is likely to rig in contested provinces by influencing the Electoral Commission of Kenya.*

4. Data and Methods

The difficulty in studying fraud has produced variegated methodologies to measure its nature and extent. One standard technique is to study allegations of fraud made to legislatures and courts. Lehoucq and Molina's (2002) eminent study of fraud in Costa Rica draws upon petitions lodged against parties to Congress in the period 1901-1946. This creates a unique dataset of 1,300 individual accusations geographically and longitudinally dispersed to test hypotheses about the impact of social structure and institutions on the incidence and nature of electoral malpractice. Bensel (2003) also applies this technique has to study American elections in the 19th century (Bensel 2003).

But appeals to legislative or judicial institutions by contestants in many countries are not likely to prove fruitful, since legislatures are partisan and courts lack autonomy and capacity. As Harbeson (2005) notes in Ethiopia's 2005 election, opponents to the ruling party lodged nearly 300 petitions following problems in many of Ethiopia's constituencies. The electoral commission tossed out about 165 of the cases, and investigated the rest. Subsequently, they decided to rerun 31 races, 20 of which produced new winners, all of which favored the ruling party. While courts have decided disputes in local parliamentary cases in Kenya, ODM decided not to use the courts to lodge petitions on the presidential race.

Other scholars have pursued “elections forensics”, or “methods… based on statistical tools and are intended to examine elections after the fact” and meant to “[focus] on the recorded votes, asking whether there are significant anomalies” (Mebane 2008; 162). This focuses specific attention on “outliers” or areas where totals do not accord with assumptions of voting behavior either based on previous results or totals from similar areas. As an example; Myagkov, Ordeshook, and Shaikin (2008, 2009) study county-level vote totals using econometric analysis of outliers to estimate levels of fraud in Russia with data from 1995-2004. They find that party agents may inflate vote totals even when the winner is not in doubt before an election. Ansari, Berman, and Rintoul (2009) use official returns to examine outliers by focusing on previous turnouts and voting behavior in Iran, comparing results from 2005 to those contested in 2009. They find suspicious turnout scenarios; including those where actual votes exceed registered voters, as well as implausible vote swings towards President Mahmud Ahmadinejad. When comparing returns from elections in Sweden and Nigeria, Berber and Scacco (2009) find that the digit results from Sweden conform to a distribution that is analogous to the digits having been produced at random in an election without allegations of fraud. In a race with wide-spread accusations, Nigeria’s 2004 election, they find consistent biases in the digits produced, suggesting artificial production of returns.

I test hypotheses on the strategies of rigging using three methods. First, I provide a narrative background of how PNU influenced the ECK. Second, I compare official results with those from the exit poll. My exit poll provides the only independent verification of the vote for Kenya’s election. Third, I employ a forensic examination of election returns. I look at four measures of fraud. First, I examine deviations of the

official results from the exit poll. The exit poll remains the only independent verification of the vote, and arguably provides a more accurate representation of how Kenyans voted given rigging. Second, I examine implausibly large turnouts in outlier constituencies. While it is impossible to rule out that these are legitimate votes, I compare these rates to likely control scenarios and find a number of unreasonably large turnouts. Third, I examine large differences between presidential and parliamentary turnouts within constituencies. Standard assumptions of voting behavior, and turnout data from prior elections, demonstrate that presidential and parliamentary turnouts should be roughly even. Large variation in turnouts suggests ballot stuffing, and at the presidential level, requires the complicity of the ECK.

5. Results

PNU’s Influence in the Electoral Commission of Kenya

The Electoral Commission of Kenya (ECK) was responsible for managing elections, tallying the votes, and certifying a winner. While the Constitution of Kenya attempts to establish an independent ECK, it does nothing to guarantee it. Section 41.9 states that “the Commission [ECK] shall not be subject to the direction of any other person or authority.” Subsequent legislation, including the National Assembly and Presidential Elections Act and the Code of Conduct for Members and Staff of the Electoral Commission, requires that “every member of the Commission shall serve impartially and independently and perform the functions of a member in good faith and

without fear, favor or prejudice, and without influence from the Government, any public officer, any political party, any candidate participating in an election, or any other person or authority".

Yet the institutional rules fail to guarantee this independence, as the Constitution allows the president to appoint all of the 22 commissioners of the ECK. The Inter-Party Parliamentary Group (IPPG) agreement of 1997 requires him to seek consultation from opposition party members.[29] The IPPG specifically states that parties in parliament ought to nominate commissioners relative to their strength in Parliament. However, Kibaki ignored this agreement, replacing 19 of the 22 commissioners with party stalwarts in the month before the 2007 election. After the appointment of these 19, there were only five commissioners of the 22 who had previously administered an election at all (European Union 2008: 15). Worries over this action were balanced by the re-appointment of Chairman Samuel Kivuitu, who enjoyed broad public support and approval given his ability to run a clean election in 2002. Members of the international community and observers also held confidence in Kivuitu.

Besides the 22 commissioners housed at the ECK's secretariat in Nairobi, the commission had district officers for all 71 districts as well as returning officers for each of the 210 parliamentary constituencies. With 27,555 polling stations for nearly 14 million voters, the ECK hired almost 250,000 polling station staffers. Party agents were supposed to be present at each polling center, however even the national parties (ODM and PNU) failed to attend voting and the count at each station. Constituency and

[29] Kibaki helped to negotiate the IPPG amid fears that Moi would try and manipulate the Commission to rig the 1997 election.

returning officers were not supposed to work in areas from whence they live in order to guarantee a fair tally, however this was not always guaranteed. The EU missions reports that some returning officers were replaced a few days before the election, without explanation (European Union 2008: 31).

The ECK also issued confusing and contradictory information about the voting process and registration in the lead-up to voting. While anyone who is double registered should by law be barred from voting, the ECK said that anyone could vote as long as they were not registered *more than twice*, an attempt to mollify the political parties but which may have contributed to retail fraud by PNU and ODM supporters. The ECK also failed to establish and implement consistent rules with respect to voters who required assistance, such as the blind, illiterate, or otherwise disabled; but left much of the discretion up to individual returning officers such that rules were not consistently applied.

The High Court is charged with receiving petitions on the presidential and parliamentary races. Should a problem arise and a person or party wish to make a complaint about the process or count, the legal framework for submitting election complaints relied mostly on submitting complaints in court.

Despite some safeguards to ensure the fair conduct and tally of elections, there are actually few legal provisions to ensure that this is the case. First, the ECK is not required to release results at the polling station level, only at the constituency level. This means that it is impossible to track any disputes that might take place at polling stations, and does not allow for back-checking if problems arise at the constituency level. Moreover, many party agents failed to act as a check against polling station results as they did not attend the counts at the 27,555 polling stations.

Additionally, nothing in the Presidential Elections Act requires that results are posted at polling stations or constituency tallying centers. There is no legal guideline that outlines the procedures that should be followed if any constituency count forms ("Forms 16") are to be changed to make corrections or who is allowed to do so.

The ECK demonstrated a shocking level of incompetence at simply managing the forms that recorded total votes within each constituency. I conducted a forensic audit of all 209 Forms 16[30], given the initial suspicion that arose from EU observer reports that results had been altered at the ECK from the constituency counts in Molo and Kieni. Examination and scrutiny of the ECK's Forms 16 are at the crux of arguments for electoral reform and IREC's ultimate recommendation to disband the ECK and recreate a new electoral administration unit in Kenya. Forms 16 hold the tallies from all of the polling stations within a constituency, and therefore list the final presidential tallies at the constituency level. A number of problems existed across the submission of these forms.

Not all returning officers used the same form and none of them followed a standard format with candidate names pre-printed in the same order. Therefore, every sheet followed a different method of listing the candidates and their totals. Many of the candidate names written-in by the returning officers were difficult to read, as were the total votes per candidate. This makes tallying more difficult and potentially prone to errors. Two forms had no signature from returning officers[31], six forms were not dated[32]

[30] While Kenya has a total of 210 constituencies, the analysis using the 2007 elections data excludes Kamukunji constituency since presidential results were cancelled there.
[31] Ndia and Eldama Ravine; although it is important to recognize that ECK officials in Nairobi could have appended signatures to forms where they were missing and so the existence of a signature is not proof that the returning officer provided it.
[32] Laikipia West, Laikipia East, South Mugirango, Bomachoge, Bobasi, Kitutu Masaba.

and one form listed "December 20th" as the date[33], and thirty-nine forms (or 19 percent of constituencies) never received a stamp from ECK headquarters showing that the Commission ever officially received the results in Nairobi. Some forms also included totals that had been crossed-out and revised, which may have been accurate corrections from prior mistakes made by the returning officers, but which may have also led to confusion and led observers to think that the vote totals had been artificially altered.

Important differences exist between the numbers given on the Forms 16 and the results published by the ECK in final form. Twenty-four constituencies held discrepancies between Kibaki's totals. In 21 of these constituencies, Kibaki registered more votes in the original tally (on the Form 16) than were ultimately published by the ECK, totaling 30,668 votes. In three, he registered more votes in the final tally than he did on the original forms, totaling 9,296 votes. The total difference in votes is therefore 39,964 and the net difference or "loss" between original Forms 16 and the final ECK results of 21,372.

Odinga's differences in totals occurred in 27 constituencies (18 overlap with Kibaki's differences in totals). In 21, he registered more votes in the original tally than were ultimately published, totaling 8,257 votes. In six, he registered more votes in the final publication compared to the original tally, for a total of 11,216 votes. The total difference in votes is 19,473 and a net "gain" of 2,959 votes from the original to the final tally.

Aggregating all of the vote differences for the two main candidates between Form 16 results and those published by the ECK does not produce enough of a difference to

[33] Mukurweini; a date seven days before the election.

have changed Kibaki's official victory. However, the fact that Kibaki and Odinga "won" and "lost" votes between the two tallies suggests problems at the constituency count, the ECK publication, or both. Because Forms 16 are supposed to represent the final certified tally produced by constituency returning officers, no differences should exist between a Form 16 and what ECK headquarters publish in the final instance assuming the count is correct. Analyzing the differences between the Forms 16 and ECK data does not allow for attribution as to whether sins of omission or commission exist with returning officers and/or ECK officials at headquarters. But the discrepancies produced in 34 (17 percent) of constituencies in this election are alarming and underscore gross incompetence in the management of the tally by the ECK.

Appendix Table 1 here

Appendix Table 1 lists those constituencies that were declared "problems" by either or both the ECK and ODM, with reasons given by ODM (as reported in *The Daily Nation*). The constituencies listed here by the ECK were those declared problematic by Kivuitu on December 29th at 5pm. By itself, the admission by the ECK that 62 constituencies (30 percent of the total 210) incurred challenges in communication and relaying results is startling. The objections raised by ODM (48 constituencies, 23 percent) are more focused on constituencies where they believed they had evidence to show conflicting figures between various forms or other problems of documentation filled out by ECK officials, to encourage further analysis of those forms and figures produced by the ECK. We should not necessarily believe charges lodged by ODM, but in regressions

not shown, areas of strong Kibaki support were significantly more likely to predict areas that ODM declared problem constituencies based on the delay of announcements at the ECK.

Exit poll

Practitioners of electoral management commonly understand independent data sources to provide the best check against actual returns in order to measure and combat fraud (Bjornlund 2004). These can include exit polls and parallel vote tabulations (PVTs). The exit poll provided the only independent and objective check against results for Kenya's 2007 election. Although Reuters reported that the Nairobi-based Institute for Education Democracy (IED) had conducted an exit poll (Cawthorne and Kanina 2007), those results have never been confirmed or released. While the ECK declared Kibaki the winner without about 2 percent of the vote, the exit poll carries an unambiguous win for Odinga of 46.1 percent to 40.2 percent, a victory that falls outside of the poll's margin of error.[34]

Table 2 here

The exit poll's national total demonstrates an Odinga victory. See Table 2. I also disaggregate results by province and find important discrepancies across a number of locations, reproduced in Table 2. In seven out of eight provinces, the ECK awards more

[34] Even weighting the poll to the official ECK turnout (which includes fraudulent votes and biases towards PNU areas), Odinga wins the election by three points and still outside the margin of error. Given problems of fraudulent ballots in the official turnout figures, I use un-weighted analyses in this chapter.

votes to Kibaki than the exit poll. The differences are not always subtle—while the exit poll gives Odinga a victory in Northeastern province of 76 percent to Kibaki's 17 percent, the ECK declares Kibaki the winner there with 50.3 percent against Odinga's 47.2 percent. Even factoring in sampling error from the poll, this difference is astounding. Problems here accord with Kivuitu's declaration during the count that many constituency returning officers were hard to reach in Northeastern province.

When compared to the exit poll— a more valid and reliable source of data on how Kenyans voted – the ECK results are largely and consistently biased towards Kibaki. Projecting differences between the official results and the exit poll, I find that Kibaki "gains" 355,843 net votes from the ECK's tally compared to the exit poll while Odinga "loses" 57,951 net votes; for a total of 413,794 net dubious ballots. Given that Kibaki won by a margin of 255,174 ballots, this result is more than enough to have swung the election. Kibaki also gains more votes in 7 of 8 provinces, whereas Odinga gains more votes in Rift Valley province only. The electoral rules in Kenya require that the winning presidential candidate receive the most nation-wide votes, in addition to at least 25 percent of the vote in five of eight provinces. Although the ECK results show that Kibaki met this requirement, the exit poll cannot confirm or deny this given that Kibaki's totals fall below 25 percent in Northeastern, Western, and Nyanza provinces, but still within the margin of error. Odinga meets the 25 percent requirement without question, passing the bar in all provinces except for Central and Eastern. These results provide support for hypothesis 2 that the incumbent party was able to rig nation-wide through their control of the ECK. The exit poll also confirms strong support in the candidates' home areas – the Luo parts of Nyanza province for Odinga and Central province for

Kibaki. Given that both candidates won nearly all of the votes here, their winning margins in the exit poll match the ECK. I address the issue of total votes (and like stuffing), something the exit poll cannot adjudicate on, in the next section. In total, the exit poll suggests the presence of rigging, in Kibaki's favor, and to a large enough degree that the ECK declared the wrong winner.

Turnout

Suspiciously high voter turnout numbers in the presidential race causes grave concerns that "ballot stuffing" and retail fraud of some form or another may occur in candidate strongholds, matching the predictions of the theory that both incumbent and opposition parties will rig locally since the costs of doing so are cheaper relative to other locations.

Table 3 here

Although it is ultimately difficult to base any arguments about turnouts in one election to those in another as turnout is a function of many things, Table 3 provides expectation towards thinking about baseline turnout in a Kenyan election deemed as free and fair. First, turnout was not overwhelmingly high in 2002. Central Province, the home region of both the leading candidates Uhuru Kenyatta and Mwai Kibaki, yielded the highest rate at 67 percent. But not even half of the voters in Nairobi and Coast voted. Second, the standard deviations for turnouts among constituencies in a given province are

not large, such that there are not significant differences in turnout between constituencies within a province across provinces in a "normal" (i.e., no fraud) year.

Table 4 here

Looking at the 2007 presidential turnout in Table 4, a number of important dissimilarities from 2002 become apparent. The right column shows that in every province, turnout went up, and by more than 10 percent in five out of eight. This is remarkable, although it is perhaps unsurprising that the highest gains were in Nyanza (Odinga's homeland) and Central (Kibaki's homeland) provinces. Table 4 also shows larger standard deviations in 2007, suggesting greater variation across constituencies in the same province.

Are high turnouts in Central and Nyanza provinces suggestive of rigging for Kibaki and Odinga? Statistically examining the distribution of turnouts across provinces in 2007 helps to arrive at potentially unrealistically high figures. The identities of the main candidates, in addition to the "euphoria" from voters and hard campaigning, should have resulted in generally large turnouts in a candidate's home region. In those areas, it becomes hard to attribute a large turnout to retail fraud or actual levels of candidate support, or both. To better form a standard of "suspicious" levels of voting, we need a picture of what turnout might have looked like in an area with high levels of support for a candidate, but without rigging.

To do so, I compare turnout in Kalonzo Musyoka's home region of Ukambani in Eastern province to that of Kibaki (Central province) and Odinga (the ethnically Luo

parts of Nyanza province). Musyoka ran on the ODM-Kenya ticket and consistently fell in third place behind the two main candidates (Horowitz and Long 2012, see also Figure 1). We expect Musyoka voters to be similarly "euphoric" for his candidacy as voters in Odinga and Kibaki's areas.[35] However, there have not been allegations of rigging against Musyoka or in his home region. This helps to draw a "control" scenario that allows me to measure the mean turnout a candidate should receive in their home area without fraud.

Figure 2 compares turnouts in the candidates' home regions, with the squares representing 2007 and the triangles 2002 (the bars show standard deviations). Again, all of the turnouts from 2002 in Eastern, Nyanza, and Central are below 70 percent. The darkly shaded area represents suspicious turnouts above the 70 percent cut-off, where the totals from Kibaki's Central and Odinga's Nyanza mainly reside.

Figure 2 here

From those constituencies in Eastern province that went for Musyoka, the average turnout rate is 67.66 percent.[36] Interestingly, this is nearly identical to the turnout rate of 67.14 percent in Central Province from 2002, the area from which both main candidates, Kibaki and Kenyatta, come from. Again, this suggests that candidates should expect around a 70 percent turnout in their home regions, where ballots have not been artificially added to totals.

[35] Horowitz and Long (2012) find that Musyoka enjoyed nearly as much support in his home area and among his co-ethnic Kamba as Odinga and Kibaki did amongst their co-ethnics and home areas.
[36] I do not include the entire Eastern province as Musyoka only polled well in concentration of constituencies there, primarily around his home in Ukambani.

Anything above 70 percent appears at least somewhat suspicious, and anything above 80 percent should give cause for alarm. All the constituencies from Central fall above the high 70s; all of the constituencies in Nyanza fall above the mid 60s but with an average of 78 percent. This gives some initial support to hypothesis 2.

Next, I aggregate vote totals from turnouts that appear too high. Eastern province, the homeland of third place candidate Kalonzo Musyoka, results in four constituencies with problematic turnouts. Three of them—South Imenti, Ruyenjes, and Siakago—come from areas with a majority of Kibaki support, however, producing 2,745 votes beyond the 80 percent threshold. Taken together, the problems in these provinces are small and not suggestive of malpractice.

However, Central province produces a number of potentially unrealistically high turnouts, even given its status as Kibaki's home region. Out of 29 constituencies, only five had turnouts below 80 percent, the lowest Juja at 73.3 percent. The average turnout was 83.18 percent, the highest for any province (and higher than the 67 percent from 2002, when both leading presidential candidates were from Central). The total votes from suspiciously high turnouts from Central, which all benefited Kibaki, are 60,628. Moreover, fifteen constituencies in Nyanza—Odinga's home province—posted rates above 80 percent and a total of 66,897 votes in Odinga favored areas. The contested constituencies in Nyanza (heavily populated by the swing ethnic group Kisii) did not post unrealistic turnouts.

Analyzing turnouts in Rift Valley at the provincial level is hard since the province is not the home region of either candidate and its constituencies were widely contested between them. But there was large variance in the turnouts in Rift Valley, with a mean of

73.78 percent and standard deviation 11.31 percent. In 17 Odinga-favored constituencies, high turnouts produce 22,687 votes. In Kibaki favored constituencies, high turnouts totaled 4,023 ballots. Therefore, constituencies with high turnouts heavily favored a production of votes for Odinga. This accords with results from the exit poll, where the Rift Valley was the only province where Odinga performed better in the official ECK results than he did in the exit poll.

Table 5 uses multivariate analysis to investigate the effects of candidate support on turnout. The dependent variable is the total turnout per constituency as reported by the ECK. The key independent variables are **Kibaki's Votes** and **Odinga's Votes**, which are the total number of ballots the ECK registers for both candidates in a constituency. While the turnout for the two leading candidates obviously determines the total turnout per constituency, I analyze which variable lends more relative weight driving turnout. I include a control for **Musyoka's Votes.** In Model 4, rather than use the total votes for each candidate, I include a dummy for whether the constituency falls in Central province, Kibaki's home area, or the ethnically Luo parts of Nyanza, Odinga's home area. I perform linear probability models, with coefficients and standard errors clustered by province shown.

Table 5 here

Results in Model 1 confirm that both Kibaki's and Odinga's vote totals are significant predictors of turnout, which by definition must be true. However, the coefficient on Kibaki's Votes is larger, suggesting that areas with strong support for

Kibaki had a greater likelihood of predicting increased turnout overall than areas with strong Odinga support, by about 8 points. In Model 2, Kibaki's vote are still a strong predictor, controlling for Musyoka's vote share, whereas in Model 3 Odinga's Votes drop significance when controlling for Musyoka's votes.

Model 4 shows the impact of coming from Kibaki's homeland of Central and Odinga's of Luo-Nyanza. The dummy on Central is significant, while the dummy on Nyanza approaches standard levels (p=0.155). The effect is much larger for Central, which adds on average 17,764 ballots per constituency to Luo-Nyanza's 6,945. These larger effects for Central could account for some of the difference in the exit poll, and subsume Kibaki's certified margin of victory.

Taken together, large turnouts in their home provinces helped both candidates. This supports hypothesis 1 that candidates rig in their home regions. It is hard to rely on total turnout though as indicative of fraud or rigging, given that the places one would expect high turnouts is where it might be easier for both sides to artificially inflate totals. However, even accepting a relaxed standard for a likely maximum and setting Musyoka's home region as a control and the home regions of 2002 candidates, a number of suspicious ballots are added and subtracted from the main candidates. This gives support to the observable implication that the credible commitment problem drives both main parties to rig locally. In Kenya, the costs of artificially inflating votes in one's home region is small relative to the costs of doing it is elsewhere, and so both incumbents and opposition members will employ resources to take comparative advantage on their home turf. The fact that domestic observers and party agents from all parties tend to come from the regions where they work at polling stations may contribute to this problem since they

are not in fact independent or opposition members but instead support their local candidate (Throup 2008).

Differences in Presidential and Parliamentary Turnout

An examination of the differences between presidential and parliamentary turnout produces additional anomalous outliers worthy of investigation. Kenya conducts three elections at the same time on the same day, with voters able to cast ballots for local civic councilors, their members of parliament, and the presidency. It is rare for a voter to cast a ballot for his/her preferred presidential candidate and ignore or decline to cast a ballot for his/her preferred MP and councilor. This is confirmed by the exit poll, with fewer than 0.1 percent of respondents reporting drop-off between presidential, parliamentary, and civic votes. Therefore, variances between the presidential and parliamentary election will arise primarily as a result of differences in the number of spoilt ballots in the two elections. There will be also a small number of abstentions, but overall this difference is so low that it cannot alter the result of the presidential election. Moreover, differences that exist should be randomly distributed and roughly equal across constituencies. While both incumbent and opposition parties can inflate their total vote totals in their home regions by encouraging the production of extra ballots on their behalf, the ability to inflate presidential ballots relative to parliamentary races nation-wide is indicative of more centralized rigging and complicity with ECK agents beyond areas of strong political control.

Statistics for all the previous multi-party elections conducted since December 1992 support the view that differences between presidential and parliamentary turnout

should be small.[37] In both 1997 and 2002 the turnouts for the parliamentary and presidential races were almost identical. Even though some made claims of rigging in 1997, there were no marked differences between the total valid votes cast for presidential and the total valid votes cast for parliamentary candidates (except in about 10 constituencies where MPs were elected unopposed).

In 2002, valid votes cast for parliamentary candidates exceeded valid votes cast for presidential candidates in about 48 constituencies by a total of 114,000 votes. This is equivalent to 1.9 percent of the presidential votes in those constituencies. However, two constituencies, Bomachoge and Kasarani, had unusually large differences with 40,000 votes between them or close to one third of the total.[38] If these two outliers are excluded, the variance is 74,000, equivalent to 1.2 percent of the valid votes. 96 constituencies had variance in the other direction, that is, where presidential votes exceeded parliamentary votes. This amounted to 64,000 votes, equivalent to 1.07 percent (see Table 6).

Table 6 here

The deviation in both directions almost cancels out leaving about a 10,000-vote difference countrywide, and is consistent with differences in the number of spoilt ballots and a few (but rare) voters who may have purposefully voted for one office and not the other. Regardless of the reason, however, the variance could not swing the presidential election in 2002, where Kibaki won by about 30 percent. The standard set in the non-

[37] Even though the ruling Kenya African National Union (KANU) ran in some constituencies in 1992 and 1997 unopposed.

[38] This may be suggestive of parliamentary rigging in both of these constituencies.

fraudulent 2002 election is a difference in turnout of around 1 percent between the presidential and parliamentary valid vote.

The difference between valid parliamentary and presidential votes in 2007 is startling when comparing it to this 2002 standard. Comparing the two elections, variance of more than 5 percent occurs in three times as many constituencies in 2007 (35) as in 2002 (11). Variance of 2 percent or more also occurs with close to three times the frequency, 70 constituencies in 2007 compared to 26 in 2002.

Table 7 here

In 2007, there are as many as 35 constituencies where the variance is above 5 percent, which translates to over 237,000 votes. See Table 7. These constituencies include instances where the variance is above 10,000 votes. This is startling given that the average number of registered voters across the 210 constituencies is 67,833. Embakassi alone had a variance of over 30,000 votes, which is over 20 percent of the total votes cast for president in that constituency. There are about 70 constituencies where the variance is above 2 percent, implausibly implying that many people in these constituencies chose not to vote for an MP. In 2007, the parliamentary election has 25 constituencies where the parliamentary vote exceeded the presidential vote by more than 2 percent. See Table 8. Looking at raw votes, this disparity produces about 116,000 ballots.

Table 8 here

I aggregate total votes that should be considered anomalous by adding votes where parliamentary turnout exceeded presidential and vice versa. The variance between the presidential and parliamentary ballots in the 2007 election is a total of 455,667 votes, or 1.4 percent. Even if I allow for a more realistic 1 percent difference between parliamentary and presidential results, there are still 445,112 anomalous votes produced between differences in turnout. Changing this to other standards reveals unrealistic anomalies. With 2 percent, 420,432 errant votes are produced and with 5 percent, 343,299. All of these significantly exceed Kibaki's margin of victory of 225,174. Allowing for a 1 percent difference is the most realistic standard based on prior voting behavior, which still produces 219,938 votes beyond what Kibaki needed to win. In sum, regardless of any of the standards set, the number of conspicuous votes exceeds Kibaki's winning margin.

Table 9 uses multivariate regressions to predict a constituency's difference in presidential and parliamentary votes. The dependent variable is the absolute value difference between presidential and parliamentary votes, that is, capturing any deviation, whether presidential exceeds parliamentary or vice versa. The independent variables again are Kibaki's Votes and Odinga's Vote. As the results from Model 1 demonstrate, Kibaki's votes are a significant predictor, with a larger substantive impact than Odinga. Going from a constituency with no Kibaki votes to all Kibaki votes increases the likelihood of differences in presidential and parliamentary turnouts by 3.5 percent. This provides support to hypothesis 2. Interestingly, using the controls for Central and the Luo areas of Nyanza do not seem to predict differences in presidential versus parliamentary turnout. Given that this strategy requires complicity from the ECK and was done with an

eye towards increasing Kibaki's nation-wide total beyond Central province, this is unsurprising.

Table 9 here

It is important to note that this analysis is restricted to those constituencies where on balance the differences between stuffing, wasting, or even undercounting were great enough to produce abnormal variance in the turnout rates that appear in the official ECK results. There may in fact be a number of constituencies where either stuffing or wasting occurred in both races simultaneously, in the same direction (whether added or subtracted), and roughly to the same degree. For example, if both presidential and parliamentary candidates simultaneously stuffed ballots, the turnouts between the two races would increase together without differences between them. This method of studying differences may therefore *underestimate* the magnitude of rigging.

6. Discussion and Conclusion

The analysis in this chapter shows that parties to a race face a credible commitment problem in running a clean election. Both incumbent and opposition members have local methods of fraud, and incumbents can additionally employ state resources, including undue influence on commissions, to increase their totals further. The

perceived closeness of the race compounds this problem, as does a lack of an independent and credible third party actor to manage and tally votes.

Fraud is problematic because it vitiates the delegation relationship between citizens and elected leaders, and may unfairly result in the re-election of leaders who voters otherwise want to toss out of office due to poor performance. Results from this chapter show that the incumbent Party of National Unity successfully rigged Mwai Kibaki into a second term, and the evidence suggests that a clean race would have produced a victory for challenger Raila Odinga. Therefore, electoral management is a vital component to upholding democratic accountability in emerging democracies.

In spite of the deficiencies in the ECK, could some other third party mechanism have worked to support a credible race in Kenya? I conclude by examining the role that election monitors played in Kenya's election. Election observers missions are now standard components of elections in emerging democracies. These include both local domestic civil society organizations, as well as international missions sponsored by organizations such as the European Union, Organization for Security and Cooperation in Europe, the Organization of American States, the Carter Center, and others. The Kenyan government has allowed domestic and international observation of its elections since 1992.

First, I examine the impact of domestic observers. The Institute for Education in Democracy (IED) formed the Kenya Election Domestic Observer Forum (KEDOF), an umbrella network of civil society organizations that pooled members to monitor at polling stations. KEDOF placed 17,000 observers total (for roughly 27,000 polling

stations). KEDOF's role included not only monitoring election conduct at polling centers and constituency counts, but also at the ECK's headquarters.

Unfortunately, KEDOF's efforts proved unsuccessful. Although members of KEDOF stationed themselves at ECK headquarters in Nairobi to observe tallying, they were unable to monitor the vote tabulation process. Bengali (2008), for example, reports that Koki Muli, one of KEDOF's coordinators, was kept from the tallying process by PNU. More broadly, during the tally at ECK headquarters, the commission ordered all observers and party agents to leave the tally room. By then, Muli said, it was clear that the commissioners had no intention of investigating irregularities that had arisen from Kivuitu's chaotic and inconsistent communication of results. Domestic observers proved unable to exert any influence over the ECK or PNU to allow for free and fair monitoring of the count. KEDOF's initial report on the quality of the election demonstrates a lack of coherent judgment on the fairness of the process. Their statement from 31 December 2007 (after Kivuitu announced final results) states that the elections "were conducted openly, fairly, and professionally" but with doubts about the tallying process. The statement ends claiming: "In our view, considering the entire electoral process, the 2007 General Elections were credible in as far as the voting and counting process is concerned. The electoral process lost credibility towards the end with regard to the tallying and announcement of presidential results."

After the elections, KEDOF faced additional scrutiny for its failure to mobilize a robust monitoring mission on Election Day or even produce a final report on their activities. The mission was fraught with difficulties as KEDOF monitors observed in areas where they lived, questioning their impartiality at polling center tabulations. The

organization suffered quality control problems and, as a result, failed to provide for a domestic support network to carry out effective electoral management. As a result, civil society could not support an independent assessment of the integrity of the electoral process.

Next, I examine the role of international observers. International observers may prove more credible than domestic groups if they are robust and seen as truly credible and independent. But they typically cannot visit as many polling stations given smaller missions composed of expatriates. In Kenya, the role of international observers is mixed. Evidence suggests that while the European Union (EU) used their observer status to try and force a reexamination of results and the tally when problems arose, the International Republican Institute (IRI) buried the results of the exit poll to support the US's policy for a quick declaration of victory and transition to a second Kibaki term.

While protests began to rage even before ECK Chairman Kivuitu announced the final result, the EU observer mission announced that they had seen ECK officials artificially altering results from Molo and Kieni constituencies, which prevented them from certifying the election as free and fair. At a January 1, 2008 press conference (two days after Kibaki was sworn in), the head of mission Alexander Lamsdorff reported on the various problems in the count that the EU had observed and suggested a forensic audit of returns. On the EU's advice, European powers refrained from congratulating Kibaki and instead were poised for an electoral stalemate between Kibaki and Odinga and a possible recount. Although a recount and re-examination of results never occurred because the ECK claimed that they had lost custody of original ballot boxes and tallies, it remains doubtful that the issue of rigging would have ever been raised or garnered such

serious attention, particularly in the international community, had it not been for the efforts of the EU. The EU's charges against the ECK and PNU no doubt lent credibility for the inclusion of Odinga and ODM into the post-election negotiation over power-sharing, supported by a unified European coalition and the African Union.

Despite the efforts of the EU to re-examine results and delay certification of a winner, the United States moved quickly to congratulate Kibaki. The exit poll, sponsored by USAID and IRI, provided the only systematic independent vote verification. As we have seen, results from it clearly point to an Odinga victory, which IRI knew the evening of the election.[39] Publishing the results of the exit poll could have either supported or challenged the results released by the ECK. Controversially, IRI did not release the results of the poll initially, even though they had done so for the two previous elections where they had conducted exit polls (for the 2002 general elections and the 2005 constitutional referendum).

It remains unclear why IRI decided not to release the data. In the days of the disputed results and initial protest in early January, I learned from IRI's Kenya country director Kenneth Flottman that although he personally wanted to publish the results, IRI did not want a release because they thought that showing an Odinga victory might further contribute to violence. However, the results of the poll had already been leaked by this point and first reported in the media by Alex Halperin of *Slate* in a January 2, 2008 in a piece titled "What's Really Going On in Kenya? And why didn't a U.S.-funded group release its exit-poll data?" Moreover, I had been informed of IRI's decision not to release

[39] Contractually, IRI controlled a release of the data in the first six months after the exit poll was conducted and UCSD was unable to publish the results or speak to the media. The contract also specificies that "IRI remains the sole funder, producer, and/or source of the exit poll."

the results before the protest and violence even began, on the night of the election—after results showing an Odinga victory had been seen by IRI and USAID. On the evening of December 27 soon after polls had closed, IRI's program officer Jennifer Flinn notified me that two members of their observer delegation, Connie Newman and Stephanie Blanton, did not want to release the data but she did not provide an explanation as to why. As the negotiation process between Kibaki and Odinga progressed through January, IRI refused to release the data claiming that they questioned the results of the survey given problems in transporting questionnaires back to Nairobi after the election. Given that the initial presidential results came from field supervisors sending data via SMS to the Nairobi headquarters of the survey firm on election day once enumerators reported results from their polling stations, the integrity of the questionnaires after the election would not impact the data with respect to the presidential vote question.

In August 2008, after the violence had abated and a power-sharing agreement between Kibaki and Odinga struck, IRI released a statement reversing their assessment and instead endorsing the poll's methodology after three independent consultants audited the poll. This announcement occurred one day before I made a presentation to IREC in Nairobi with Clark Gibson, in which we testified as to the poll's results and threats to validity, none of which would reasonably change the unambiguous finding that more Kenyans intended to vote for Raila Odinga than Mwai Kibaki in Kenya's presidential election.

Journalistic investigations have uncovered intentions as to why IRI may have withheld the results. Managers at Strategic, the company responsible for fieldwork, confirmed to me that they had relayed early results from the exit poll to Sheryl Stumbras,

USAID's democracy and governance advisor in Nairobi, at around 3pm on election day. Rothmyer (2008) reports in the *The Nation* magazine that those results found their way to US Ambassador Michael Ranneberger the same day, and writes: "Ranneberger went on to tell the *Washington Post* on December 31 that 'the US would accept' the announcement that Kibaki had won, and the State Department congratulated Kibaki on his win--a position that it later retracted after the European Union raised concerns about election rigging." Contrary to the EU's recommendation, the US was adamantly opposed to any sort of recount of the votes.

In *The New York Times,* Gettleman and McIntire (2009) investigate Ranneberger's role in formulating US policy in Kenya and his involvement in the exit poll. They quote IRI's Flottman as saying that Ranneberger had appeared pro-government both publicly and private in the run-up to the election, and that Ranneberger tried to make IRI release a pre-election poll that showed Kibaki ahead (despite a number of other polls that showed Odinga in the lead). Rothmyer suggests that the Bush Administration favored a Kibaki victory given his assistance in their policies concerning the "war on terror" in East Africa and the Horn, including the infamous "rendition" policy of which the Kibaki regime is believed to have played host. The Administration though a Kibaki government would produce a more stable and reliable regional ally. Odinga's strong links to Kenya's Muslim community and his historical socialist leanings could have made US policymakers nervous (Gettleman and McIntire 2009). Whether at the behest of the State Department or of their own volition, IRI's failure to release the results of the exit poll contributed to further confusion over the results. IRI could have used the data from the exit poll to signal to Kibaki and Odinga that the outcome of the

election was known and the results should be respected by all parties. They could have also signaled results to the ECK to try and support a fairer vote count to uphold the commission's integrity in the eyes of the public. As Joel Barkan, an American political scientist with decades of experience in Kenya and a member of IRI's observer mission, commented to Gettleman and McIntire (2009): "With the breakdown of the electoral commission, that is precisely the point when you want an exit poll to be released."

Lacking a fair and impartial commission, observers played an important, if variegated, role in Kenya's 2007 election. On the one hand, the EU mission pointed to severe problems and raised the likelihood of malfeasance in the eyes of the international community, who eventually played a vital role in forcing the inclusion of Odinga and ODM into a negotiated settlement. On the other hand, the US and its agents abrogated their ability to play an independent and third party role in flagging fraud by misusing the one tool at their disposal, and the only independent verification on how Kenyans voted: the exit poll. Moreover, domestic observers under the KEDOF umbrella had the largest number of monitored polling stations, but failed to ensure quality control of their members or influence over observation of the tallying process at the ECK in Nairobi.

Despite the Bush Administration's desire to exclude Odinga from the political process and declare a Kibaki victory, the mediation process led by Kofi Annan under the auspices of the African Union created a power-sharing agreement between the major parties. While subsequent reform efforts have led to the disbanding of the ECK and the creation of a new commission to manage the next general elections in 2013, Kenyans will never know the true outcome of their 2007 election.

Table 4.1: Final Certified Results for the 2007 Presidential Election from the Electoral Commission of Kenya

	Kibaki	**Odinga**	**Musyoka**	Others
Nairobi	313,478	288,922	52,974	**1,845**
	48%	44%	8%	**0%**
Coast	197,354	353,773	38,881	**5,909**
	33%	59%	7%	**1%**
Northeastern	97,263	91,440	4,498	**333**
	50%	47%	2%	**0%**
Eastern	835,481	83,575	726,782	**13,229**
	50%	5%	44%	**1%**
Central	1,741,086	34,046	11,702	**7,215**
	97%	2%	1%	**0%**
Rift Valley	818,445	1,580,880	33,863	**12,300**
	33%	65%	1%	**1%**
Western	312,300	639,246	6,729	**11,417**
	32%	66%	1%	**1%**
Nyanza	262,627	1,280,978	4,470	**7,160**
	17%	82%	0%	**0%**
Total	4,578,034	4,352,860	879,899	**59,408**
	46%	44%	9%	1%

Source: Electoral Commission of Kenya (2008)

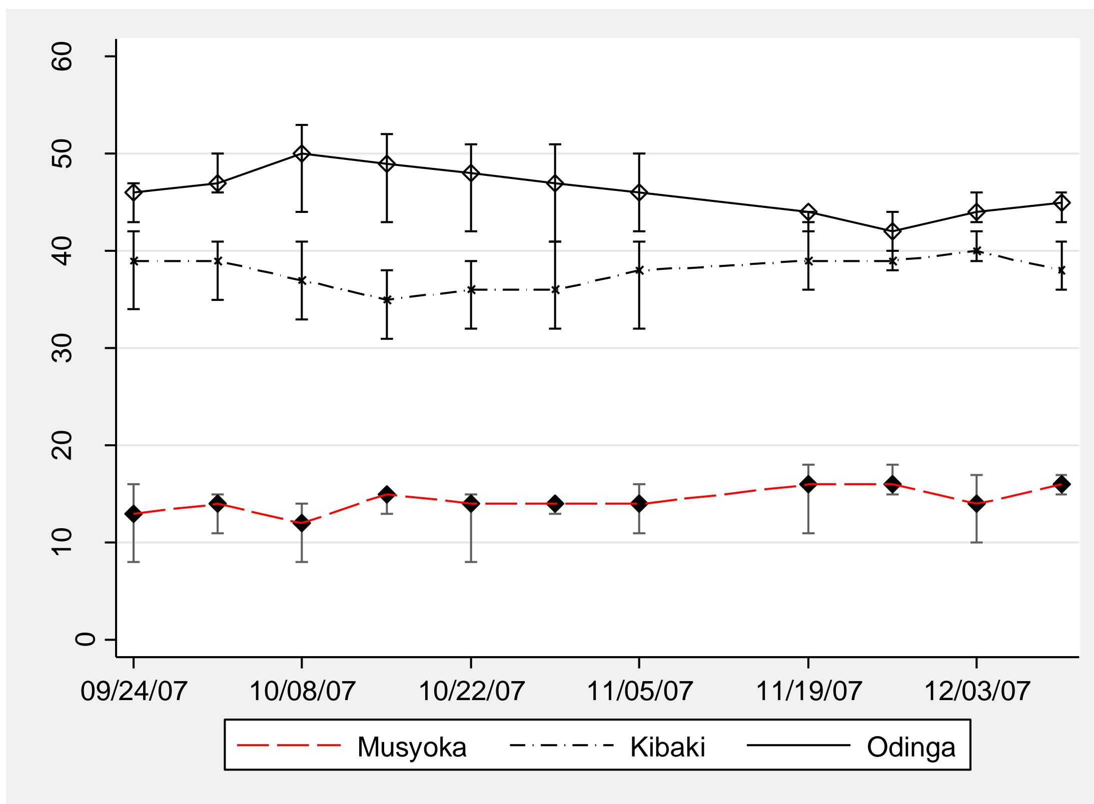

Figure 4.1: Closeness of Race (aggregated data from published polls)

Source: Horowitz and Long 2012

Table 4.2: ECK and Exit Poll Comparison of Odinga and Kibaki results (percentages)

		Total	North-eastern	Nairobi	Rift Valley	Coast	Western	Eastern	Central	Nyanza
Kibaki	**ECK**	*46.4*	50.3	47.7	33.5	33.1	32.2	50.3	96.9	16.9
	Exit Poll	*40.2*	17	33.1	41.2	24.6	24.2	42.5	91.9	14.7
	Difference	***6.2***	**33.3**	**14.6**	**-7.7**	**8.5**	**8**	**7.8**	**5**	**2.2**
Odinga	**ECK**	*44.1*	47.2	44	64.7	59.4	65.8	5	1.9	82.3
	Exit Poll	*46.1*	76	54.6	54.6	67.2	72.7	7.2	2.5	83.4
	Difference	***-2***	**-28.8**	**-10.6**	**10.1**	**-7.8**	**-6.9**	**-2.2**	**-0.6**	**-1.1**
	Margin of error +/-	1.32	9.8	4.31	2.73	4.51	3.99	3.26	3.41	3.5

Source: *Exit poll*

Table 4.3: 2002 Presidential Turnout

Province	Rank	Percent Turnout[40]	**Standard Deviation[41]**
Central	1	67.13	**5.5**
Rift Valley	2	61.48	**7.73**
Eastern	3	61.29	**6.37**
Northeastern	4	58.70	**5.93**
Western	5	57.41	**4.5**
Nyanza	6	56.78	**8.43**
Coast	7	45.41	**8.89**
Nairobi	**8**	**42.16**	**3**

Source: Electoral Commission of Kenya (2002)

[40] This is the average percent turnout of constituencies within a province.
[41] This is the standard deviation of constituency turnout within a province.

Table 4.4: 2007 Presidential Turnout

Province	Rank	Percent Turnout	Std. Dev.	***Difference between 2007 and 2002***[42]
Central	1	83.18	3.47	***+16.04***
Nyanza	2	77.77	11.59	***+21.00***
Rift Valley	3	73.78	11.31	***+12.29***
Eastern	4	71.37	7.96	***+10.08***
Western	5	64.14	5.41	***+6.73***
Northeastern	6	61.40	7.44	***+2.70***
Nairobi	7	56.88	5.57	***+14.72***
Coast	**8**	**54.83**	**9.58**	***+9.43***

Source: Electoral Commission of Kenya (2008)

[42] This column subtracts the 2002 from the 2007 turnout percentages, so that positive numbers mean a greater turnout in 2007 whereas negative numbers would suggest lower turnout in 2007.

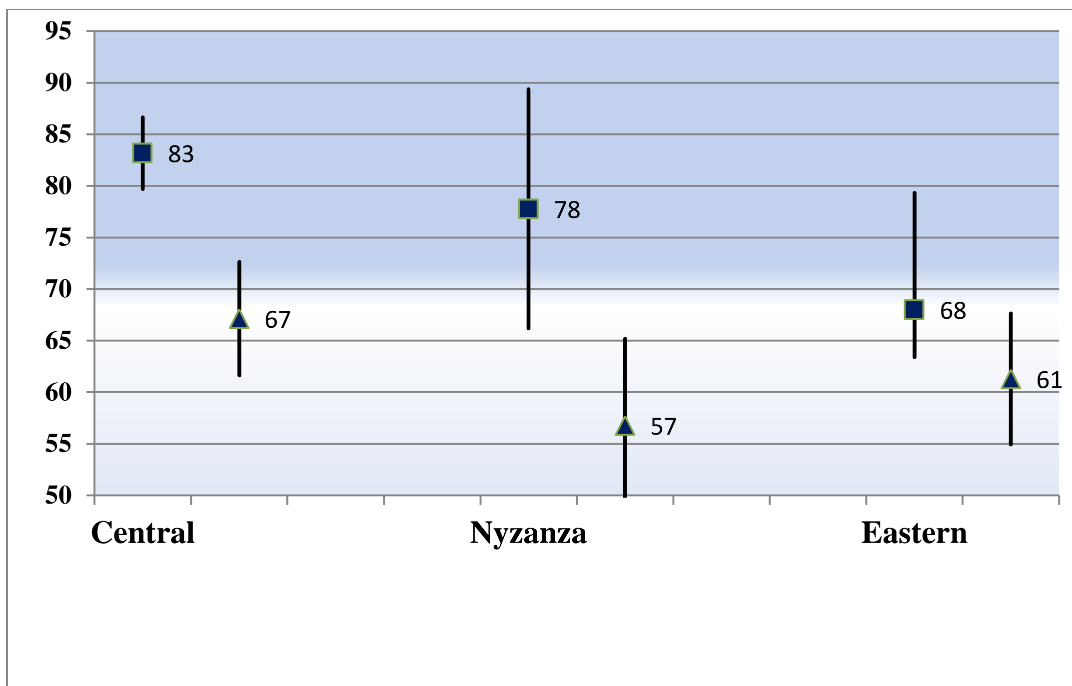

Figure 4.2: Average Presidential Turnouts for Central, Nyanza, and Eastern Province for 2007 and 2002 (with standard deviations)

Squares show 2007turnout; triangles show 2002 turnout

Table 4.5: Presidential Turnout

	Model 1	Model 2	Model 3	Model 4
I. Candidate Votes				
Kibaki's Votes	0.841***	0.628**		
	(0.152)	(0.118)		
Odinga's Votes	0.757**		0.410	
	(0.203)		(0.248)	
Musyoka's Votes		0.436*	0.404	
		(0.133)	(0.246)	
II. Province Controls				
Central				17764.070**
				(4355.084)
Nyanza (Luo)				6944.510
				(4355.084)
Constant	13510.900	32095.881***	37456.937**	44526.585***
	(9816.577)	(5703.303)	(9802.697)	(4355.084)
R2	0.759	0.446	0.131	0.076
N	209	209	209	209

Table 4.6: 2002 Presidential Exceeds Parliamentary Turnout

Turnout Threshold[43]	**Votes**	Number of Constituencies
Total	64,185	**96**
1 percent	59,723	**48**
2 percent	50,448	**26**
5 percent	**34,066**	**11**

Source: Electoral Commission of Kenya (2002)

[43] Turnout threshold indicates various standards of differences in turnout between presidential and parliamentary races. That is, the "total" row responds to the total difference between turnouts; the "1 percent" row responds to a difference of 1% between the turnouts, etc.

Table 4.7: 2007 Presidential Exceeds Parliamentary Turnout

Turnout Threshold	**Votes**	Number of Constituencies
Total	325,131	**130**
1 percent	318,176	**90**
2 percent	304,963	**70**
5 percent	**237,572**	**35**

Source: Electoral Commission of Kenya (2008)

Table 4.8: 2007 Parliamentary exceeds presidential turnout

Turnout Threshold	**Votes**	Number of Constituencies
Total	130,547	**69**
1 percent	126,936	**43**
2 percent	115,469	**25**
5 percent	**105,727**	**16**

Source: Electoral Commission of Kenya (2008)

Table 4.9: Differences in Presidential and Parliamentary Turnout

	Model 1	Model 2
I. Candidate Votes		
Kibaki's Votes	0.035 +	
	(0.016)	
Odinga's Votes	0.019	
	(0.019)	
Musyoka's Votes		
II. Province Controls		
Central		-178.156
		(397.908)
Nyanza (Luo)		-566.880
		(397.908)
Constant	936.439	2176.880***
	(710.105)	(397.908)
R2	0.057	0.003
N	208	208

Appendix 1

Table (Appendix): 2007 Problem Constituencies Identified by the ECK and/or ODM

Province	Constituency	ECK	ODM	Reason given (ODM)
Nairobi	Makadara	Yes	Yes	*Conflicting figures*
	Kamukunji	Yes	No	
	Starehe	No	Yes	*Conflicting figures*
	Dagoretti	Yes	No	
	Embakasi	Yes	No	
Coast	Changamwe	Yes	No	
	Kisauni	Yes	No	
	Likoni	Yes	No	
	Mvita	Yes	No	
	Msambwemi	Yes	No	
	Kinango	Yes	Yes	*Conflicting figures*
	Bahari	Yes	No	
	Magarini	Yes	No	
	Garsen	Yes	No	
	Galole	No	Yes	*Conflicting figures*
	Voi	No	Yes	*Conflicting figures*
Northeastern	Dujis	No	Yes	*Conflicting documents*
	Lagdera	No	Yes	*Conflicting documents*
	Fafi	Yes	No	
	Ijara	Yes	Yes	*Conflicting documents*
	Wajir North	Yes	No	
	Wajir West	Yes	Yes	*Conflicting documents*
	Mandera East	No	Yes	*Conflicting documents*
Eastern	Isiolo North	Yes	No	
	Isiolo South	Yes	No	
	North Imenti	Yes	No	
	South Imenti	Yes	Yes	*Conflicting figures*
	Igembe South	No	Yes	*No supporting documents*
	Igembe North	Yes	Yes	*No supporting documents*
	Tigania West	Yes	No	
	Tigania East	Yes	No	
	Nithi	Yes	No	
	Tharaka	Yes	Yes	*Conflicting figures*
	Manyatta	No	Yes	*Conflicting figures*
	Runyenjes	No	Yes	*Conflicting figures*
	Mutito	Yes	No	
	Kangundo	Yes	No	
	Kathiani	Yes	No	
	Mwala	Yes	No	
	Mbooni	Yes	No	

Table (Appendix) Continued

Province	Constituency	ECK	ODM	Reason given (ODM)
	Kilome	Yes	No	
	Makueni	Yes	Yes	*Conflicting figures*
	Kibwezi	Yes	No	
Central	Kinangop	No	Yes	*Conflicting figures*
	Ol Kalou	Yes	Yes	*Conflicting figures*
	Kieni	No	Yes	*Conflicting figures*
	Mathira	No	Yes	*Conflicting figures*
	Mwea	No	Yes	*Conflicting figures*
	Gichigu	No	Yes	*Conflicting figures*
	Ndia	No	Yes	*Conflicting figures*
	Mathioya	No	Yes	*Conflicting figures*
	Kandara	No	Yes	*No supporting documents*
	Githunguri	No	Yes	*Conflicting figures*
	Kiambaa	Yes	Yes	*Conflicting figures*
	Limuru	Yes	No	
	Gatundu South	No	Yes	*Conflicting figures*
	Juja	No	Yes	*Conflicting figures*
Rift Valley	Turkana South	Yes	Yes	*Conflicting figures*
	Turkana Central	Yes	No	
	Kacheliba	Yes	No	
	Kapenguria	Yes	No	
	Baringo East	Yes	No	
	Baringo Central	Yes	No	
	Laikipia West	No	Yes	*Conflicting figures*
	Laikipia East	Yes	No	
	Naivasha	Yes	Yes	*Conflicting figures*
	Nakuru Town	Yes	Yes	*Conflicting figures*
	Molo	Yes	No	
	Rongai	No	Yes	*Conflicting figures*
	Subukia	No	Yes	*Conflicting figures*
	Kajiado North	Yes	No	
	Ainamoi	Yes	No	
	Buret	Yes	No	
	Sotik	Yes	No	
Western	Malava	Yes	No	
	Emuhaya	Yes	No	
	Kimilili	Yes	Yes	*Conflicting figures*
	Webuye	No	Yes	*Conflicting figures*
	Bumula	No	Yes	*Conflicting figures*
	Funyula	Yes	No	
Nyanza	Muthoroni	Yes	No	
	Rangwe	Yes	No	
	Ndhiwa	Yes	No	
	Kuria	No	Yes	*Conflicting figures*

Table (Appendix) Continued

Province	**Constituency**	**ECK**	**ODM**	**Reason given (ODM)**
	Bonchari	No	Yes	*Conflicting figures*
	Nyaribari Masaba	No	Yes	*Conflicting figures*
	Nyaribari Chache	Yes	No	
	Kitutu Chache	Yes	Yes	*Conflicting figures*
	South Mugirando	Yes	Yes	*Conflicting figures*
	Bomachoge	Yes	Yes	*Conflicting figures*
	Bobasi	Yes	No	
	Kitutu Masaba	No	Yes	*Conflicting figures*
	West Mugirago	No	Yes	*Conflicting figures*
	North Mugirago Borabu	No	Yes	*Conflicting figures*

Source: Press statements by ECK and the Daily Nation

Chapter 5

Post-Election Violence

"...After the announcement of presidential results, that was when hell broke loose. All of our democracy was lost." – Resident of Eldoret, Northern Rift Valley

1. Introduction

The violence following Kenya's December 2007 general election produced the most concentrated threat to democratic consolidation in the country since the re-introduction of multi-party politics in 1991. Protest sparked immediately as the Electoral Commission of Kenya (ECK) announced incomplete and fraudulent results for the presidential race, and fighting spread throughout the country over the next few weeks. Violence did not halt until President Mwai Kibaki of the Party of National Unity (PNU) and opposition leader Raila Odinga of the Orange Democratic Movement (ODM) signed a power-sharing National Accord in late February 2008 mediated by Kofi Annan. By the end of the violence, nearly 1,200 people had died, countless others were injured, and upwards of 700,000 were displaced from their homes (Commission to Investigate Post-Election Violence [CIPEV] 2008).

In this chapter, I explore the occurrence of electoral protest and violence in Kenya. In what ways do weak electoral institutions contribute to violence? Why does

violence arise in certain areas, but not others? What role do political actors, state security forces, and local communities play in committing violent acts? Prior approaches to explaining electoral violence in Kenya focus on the roles of social immoderation and ethnic biases in the distribution of resources (Anderson and Lochery 2008; Branch 2011; Kanyinga 2009; Mueller 2008; Oucho 2010). The motivations that may drive ethnic voting discussed in previous chapters—namely, strong group attachments, fear and prejudice to outsiders, and favoritism—may also motivate acts of violence. Elections can activate campaigns where politicians force strong ethnic appeals to increase vote shares (Horowitz 1985; Snyder 2000; Wilkinson 2004). Citizens and politicians view political power as zero-sum, winner-take-all ethnic contests (Bangura 2006). Because elections are a referendum on who governs and distributes, groups fight to gain control of the state and force exclusion on ethnic strangers. These strong pressures from below paint a bleak picture of the likelihood of democratic survival in multi-ethnic and emerging democracies (Horowitz 1985; Geertz 1963).

These arguments seem plausible in light of Kenya's history of violence and levels of inequality. "Tribal clashes" plagued transitioning elections in the 1990s when former President Daniel arap Moi tried to hold power and maintain dominance of his Kenya African National Union (KANU) party during multiparty contests. Many argue that he strategically attacked certain ethnic "outsiders" (primarily the Kikuyu) in the multi-ethnic Rift Valley in both the 1992 and 1997 campaigns as a way to motivate his co-ethnic Kalenjin political support by driving non-Kalenjin voters from those constituencies. Anecdotal evidence of the post-election violence in 2007 stresses again the role of ethnic identity in predicting conflict—both Kikuyus and Luos were seen as perpetrators and

victims given their co-ethnic presidential candidates, as well as the Kalenjin with whom the Kikuyu have held long-standing tensions.

However, if ethnicity alone motivates electoral violence, a number of empirical puzzles remain towards explaining the outcomes of Kenya's 2007 election. First, why does violence happen in some elections and not others, and in some places and not others? Second, violence typically makes both communities worse off than they would have otherwise been in the absence of fighting. The post-election violence inflicted enormous human and economic costs – in addition to deaths and internally displaced people, many citizens suffered property damage and communities lost access to resources or had them destroyed. Protest and violence brought the entire East African economy to a halt given the inability to transport any goods within Kenya, or to its landlocked neighbors in Southern Sudan, Uganda, Rwanda, and Burundi who rely on the Indian Ocean port of Mombasa. Given these costs, why do politicians and groups in Kenya sometimes fail to bargain some efficient distribution of resources relative to the potential losses that would result from conflict, even if that privileges some groups at the expense of others?

Echoing the themes from prior chapters, I argue in this chapter that violence does not arise from below from citizens motivated by strong ethnic sentiments and demands. Failures of accountability—in this instance, violence—do not arise because citizens lack a commitment to the peaceful resolution of elections. Instead, I focus on the political determinants of electoral violence. Similar to last chapter, I focus on the role of institutions—including the electoral commission, parties, and state security apparatuses—and how institutional performance creates incentives for violence. I also focus on the role

of ethnicity, in particular whether areas of strong feelings of group attachment, fear and prejudice to ethnic outsiders, and beliefs about biased resource distribution correlate with incidences of post-election violence. We have seen the complex relationship between performance and ethnicity towards understanding voting. They also play potentially formative roles in electoral violence.

In the last chapter, I argued that the uncertainty of outcomes in the shadow of elections makes both sides more likely to rig the process when no third party check against electoral malfeasance exists. In this chapter, I look at the consequences of that rigging. The rollback of electoral institutions by corrupt political actors creates incentives for losing parties and their supporters to react violently. The nature of the executive branch means that parties view the presidency as winner-take-all, where only one party will control policy-making. This loss of power moving forward contributes to the cost-benefit analysis of how to react to rigging in the present. While party organizations coordinate to mobilize voters, they also overcome collective action problems to protest outcomes they view as fraudulent (Tucker 2007). Specifically, I argue that areas with high support for Odinga and ODM experienced significantly more violence than those with support for Kibaki and PNU, even controlling for the candidates' co-ethnic areas of strong Luo and Kikuyu support.

Beyond rigging, I also argue that other kinds of institutional performance matter towards understanding violence. Echoing themes from Part I of my dissertation, the performance of the government towards providing services shapes the opportunity costs of violence within communities. I argue that areas where citizens view government service provision more positively are less likely to experience violence. Areas with more

negative perceptions of service delivery are more likely to experience violence. Communities with higher perceptions of service provision are more likely to cooperate since the benefits from services outweigh the benefits from violence. As perceptions of service delivery decline, violence becomes a more attractive option for citizens to gain needed goods.

In response to opposition protest, the incumbent PNU successfully exerted control over state security agents, who played a critical role in perpetrating acts of violence by attacking opposition members, as well as failing to intervene in certain areas. When the state fails as a neutral and competent arbiter of security provision, citizens again weigh the costs of violence against the costs of protection. As safety provision recedes, the state activates fear between communities and creates incentives for people to employ violence strategically as a means of predation and/or protection (Fearon 1998; de Figueiredo and Weingast 1999). While scholars understand this security dilemma as an important underlying factor in international and civil wars (Jervis 1978; Jervis and Snyder 1999; Kaufmann 1996; Posen 1993; Waltz 1979), less attention has been paid to how it is variable across time or settings within a country.

Where the state fails to provide security, citizens must look to other institutions to fulfill this role. Locally, individuals may turn to their neighbors and community members, who are frequently also their co-ethnics (since most Kenyans live in ethnically homogenous areas), to coordinate and provide for collective defense. I argue that the activation of fear by the state will have differential effects based on characteristics of how communities behave at the local level. Where groups have prior levels of coordination and the ability to sanction in-group members, violence is less likely. Where groups are

more internally divided and fail to coordinate, violence is more likely. Outcomes that are socially optimal for all communities—that is, the maintenance of peace—therefore result from how communities organize and oversee their members (Bates 1983; Fearon and Laitin 1996).

Ethnicity therefore plays a nuanced role in violence. Rather than pushing citizens to fight from extreme levels of social polarization or resource scarcity, the actions of the state and its failure to provide security shifts certainty and bargaining within and between local communities. Latent ethnic fear may not usually cause violence, but becomes active during elections given uncertainty of outcomes, unfair electoral processes, and the inability of the state to provide local security.

To test hypotheses on variations in location of electoral violence in Kenya, I construct a novel event count quantitative dataset of violent incidences. I build it from the extensive qualitative reports from the Committee to Investigate Post-Election Violence (hereafter CIPEV, which the International Criminal Court has used to investigate crimes against humanity and issue indictments against four suspected masterminds, including members of PNU and ODM). I merge these with electoral data and pre-election survey data measuring attitudes on ethnicity (discussed in Chapter 3) and service provision. I support these quantitative analyses with ethnographic data gathered from over two years of fieldwork in Kenya, including responses from focus groups in areas affected by post-election violence. I conducted 10 in-depth focus groups the capital city Nairobi, Odinga's Luo homeland of Nyanza, and the multi-ethnic Rift Valley, site of the highest concentration of violent incidents. All respondents were directly victimized.

My results support the view that initial post-election protest occurred in areas of strong opposition support and poor perceptions of government service provision. I find that a heavy-handed state response activated a security dilemma and pre-existing levels of fear of ethnic strangers predicts the location of violence. Other measures of social polarization and biases in resource distribution do not consistently predict violence.

This chapter proceeds as follows. First, I review the history of violence in Kenya and the 2007 post-election crisis. Second, I outline my theoretical approach to understanding the timing and locations of violence and derive a number of testable hypotheses. Third, I discuss the data and methods I utilize to test the observable implications of my theory. Fourth, I present results. Section Five concludes.

2. The History of Violence in Kenya

The Colonial State to NARC

Conflict in Kenya did not first erupt in the context of the 2007 election. In fact, violence has accompanied many periods of state-building in Kenya, although students of civil war rarely include Kenya as a case given that violence typically does not involve rebels or insurgents attempting secession or the overthrow of the state. Elections prove particularly violent. In previous chapters, we have examined the potential role that social polarization plays in Kenyan society given its ethnic diversity. We have also looked at the potential for biases in how politicians distribute scarce goods.

During the British colonial expansion into East Africa, environmental and resource pressures frequently drove inter and intra-group rivalries, resulting in a number of wars between Nilotic and Bantu communities in the Rift Valley and Western Kenya, including the Kikuyu, Luo, Maasai, and Kalenjin (Berman and Lonsdale 1992). The colonial state displaced millions of Kenyans, grabbing land in the predominantly Kikuyu regions of Central Province and the White Highlands of Rift Valley, leaving a legacy of landlessness and inequality (Kanyinga 2009). The Mau Mau insurgency arose partly from the exclusion of Kikuyus from the colonial state and economy, but also thrived because of deep divisions within the Kikuyu community itself (Bates 1983), among those who lent support to the colonial state and those who opposed it (Anderson 2005). Despite the dramatic losses on the side of the Mau Mau and Kikuyu more generally, colonial policies were seen to advance pro-British Kikuyu elites, creating resentment from the lower Kikuyu classes and other groups throughout Kenya. These policies have led scholars to date the genesis of social polarization and beliefs about biases in distribution to the colonial state (Bates 1983; Horowitz 1985).

After Kenya's independence in 1963, Jomo Kenyatta and the Kenya African National Union (KANU) quickly consolidated power, at first attempting a nationalist government and ethnic power-sharing between influential groups, but eventually reducing this to a small cadre of co-ethnics that hailed from Kenyatta's home area in Central Province. After Kenyatta's death in 1978, Daniel arap Moi, a Kalenjin, inherited the state and brought even tighter centralization and control.

Following a similar pattern from across Africa, the one-party state under Moi committed numerous human rights abuses against political dissidents. Like Kenyatta,

Moi failed to address problems of regional inequalities, especially with respect to distribution of land resources that had been used by colonial settlers and taken from the Kikuyu, but not redistributed fairly amongst the Kikuyu or with respect to other communities (Kanyinga 2009). Although Moi managed to maintain power after political party liberalization in the 1992 and 1997 elections, violent clashes between and within ethnic groups characterized both elections—with many arguing that Moi strategically targeted certain communities in his home Rift Valley region to increase turnout amongst his co-ethnics and drive away ethnic strangers (Hornsby 2012; Throup and Hornsby 1997).

The 2002 election brought to power Mwai Kibaki's NARC coalition, dramatically defeating KANU and Moi's appointed heir, Uhuru Kenyatta (son of the former president). Kibaki's margin of victory was large, and although many feared Moi would cling to power through fraudulent means or resume ethnic targeting in the Rift Valley, the 2002 election was mostly peaceful.

However, the period between the 2002 and 2007 elections saw increased violence. Recall from Chapter 2 that one of the most important services demanded by Kenyan voters in 2007 involved the local provision of security, something for which the central government holds authority. First, rampant crime, particularly in urban areas, continued from the Moi regime (Mueller 2008). Second, a simmering insurgency flared up in 2005 in the western Mt. Elgon region led by the irredentist Sabaot Land Defense Forces. Third, continued terror from the outlawed *Mungiki* sect, with historical ties to Mau Mau, targeted co-ethnic Kikuyus and others in urban areas and Central Province, as well as

resulted in a heavy-handed state response and human rights violations (including the execution of 500 suspected members in the lead up to the 2007 election) (Mueller 2008).

All told, policies pursued first by the colonial state, and then by Kenyatta and Moi, have created ethnic resentment and the view on the part of some that leaders favor their own when distributed needed goods and services from the government. Multi-party elections may activate these feelings of social immoderation since they serve as referenda on who governs, and therefore which groups benefit or lose.

The 2007 Election and Post-Election Violence

The 2007 campaign period suffered a number of violent incidents, with supporters attacking opposing candidates, a violent nominations process within parties, and claims on all sides of ethnic extremism. Election day itself proved peaceful, however, with nearly 10 million Kenyans casting ballots. Opposition presidential candidate Raila Odinga maintained a consistent lead as results trickled out of the Kenyatta International Conference Centre by the Electoral Commission of Kenya (ECK) from the evening of the 27th through the next day. High expectations for victory carried Odinga and his Orange Democratic Movement (ODM) supporters throughout the campaign and early results confirmed their hopes.

However, results reported in the morning newspapers on the 29th showed that President Mwai Kibaki closed the gap with Odinga and the race became a toss-up. Moreover, continued and inexplicable delays in the reporting of complete and certified results began to degrade the credibility of the ECK and its Chairman, Samuel Kivuitu. On the 29th, Kivuitu declared that the ECK could not locate or communicate with some

returning officers—ECK officials responsible for reporting results from their constituency to headquarters at KICC—whose "cell phones were turned off."

While the about-face on the results themselves no doubt caused anxiety on the part of ODM supporters, the inability of the ECK's Chairman to remain in control of the certification process caused alarm from all angles, and protests began across the country on Saturday, December 29th. As a female respondent in Mathare, an urban slum in Nairobi, mentioned: "We waited for the tallies but we thought they were cooking some mischief. When I woke up in the morning [of the 29th], I heard the results had changed in favor of the losing candidate. They were just waiting for the dark so that they could steal the votes. In Mathare, people started demonstrating… in anger as they were seeing in the news that something was amiss." By 5 pm, Kivuitu cut short the reporting of any further ballots, and declared that representatives from both parties would participate in an audit of results from all 210 constituencies over Saturday evening and into Sunday morning.

On Sunday, December 30th, protests continued across the country as opposition supporters charged the ECK with the abrogation of correctly certifying results while members of the government and international community urged the public to remain calm. By late afternoon, Kivuitu reconvened the press corps at KICC and attempted to release results from the remaining constituencies. Members of ODM stymied his actions by shouting him down as the cameras rolled; and as a result, Kivuitu left the press conference and the General Services Unit (GSU) shut down the press center by forcibly removing members of ODM, and the press, from KICC. Some 20 minutes later, Kivuitu appeared alone on the state-run Kenya Broadcasting Corporation where he forewent reading the remaining constituency results in favor of declaring the final presidential

result and the winner: President Mwai Kibaki won re-election with 46 percent of the vote Odinga's 44 percent.

ODM and international observers have blamed Chairman Kivuitu for his mis-management, and bowing to pressure from PNU. As a youth in Kisumu recalled: "The conduct of the ECK was suspect. They were announcing vote tallies while holding on to others. At the last moment they were taken from one room to another room and announced the results." A female youth said: "The tallies of the vote were not honest and that is why there was violence." When asked the cause of the violence, one female resident of Nairobi's Kibera slum replied: "I'd say Kivuitu. He should have said who won truly and maybe there wouldn't have been a lot of violence."

Protest grew after Kibaki's swearing in on the evening of the 30th, with violent confrontation between ODM supporters and police in Nairobi, Kenya's capital; Kisumu, Odinga's ancestral home in Nyanza province; and volatile areas in Coast province and throughout the Rift Valley. An adult resident of Kisumu recalled, "After the announcement of the presidential results, that is when we heard people shout, gun shots, and [saw] fires." Reports surfaced of police firing into crowds of unarmed civilians, as well as the systematic targeting of Kikuyus, Kibaki's ethnic group, by Luos and Kalenjins, as well as the targeting of Luos, Odinga's group, by state security forces in Nairobi and Kisumu.

Violence proceeded in fits and starts but continued throughout the country over the next eight weeks; taking on various forms and characteristics, from protests to state repression to local communal clashes. Almost immediately after the beginning of violence and Kivuitu's announcement, various international actors quickly tried to

negotiate a settlement between Kibaki and Odinga, including South Africans Desmond Tutu and Cyril Ramaphosa and African Union President John Kufour. Chief mediator and former United Nations Secretary General Kofi Annan proved successful on February 28th, forging a settlement in which Kibaki remained president, and Odinga would become the newly created prime minister. The National Accord further specified a general power-sharing arrangement between the major parties in a "Grand Coalition," tasked with needed reforms of various challenges that continued to plague political, economic, and social development in Kenya seen as contributing to the post-election violence, such as land reform and the equitable distribution of resources (Kanyinga and Long 2012).

3. Theoretical Foundations

How do we account for and explain patterns of Kenya's post-election violence? To explore the determinants of Kenya's post-election crisis, I focus on the role of institutions, and how institutional failures and weaknesses create incentives for protest and violence. This form of violence encompassed post-election protest, state repression, and violence within local communities. In many cases, violent acts appear to have been highly organized by political and community leaders, but also occurring between neighbors. I focus on the roles of three actors – parties, the state, and communities – in producing violence. Given a rigged result, parties must decide whether to protest. In response, the state can uphold its duty to provide security, or shirk this responsibility and

engage in repression. If the state does not provide security, communities must try and uphold peace. Depending on communities' ability to collectively organize, some are successful while others descend into violence.

In this section, I discuss my theoretical approach to understanding the contribution of political parties, including the incumbent PNU and opposition ODM, and communities towards predicting violence, and derive testable hypotheses for each. I end with a discussion of alternative explanations, including social polarization and resource biases. I specify hypotheses with respect to likelihood of violent incidents within constituencies, rather than between individuals or any other geographic unit. The data I employ on post-election violence from CIPEV allow for mapping incidents to constituency as the smallest geographic unit. Additionally, examining violence within constituencies accounts for its extremely local nature within and between communities.

Parties and the State

"The announcement of presidential results caused the violence. The elections brought it all." Youth in Kitale, Northern Rift Valley

"When we celebrated the victory of our candidate, we were threatened with violence." – ODM supporter from Nakuru, a central location of violence in the Rift Valley

First, I examine the role of political parties and the state. Specifically, this includes their ability to rig results, as well as protest results they deem unfair. For PNU, as the incumbent, it also includes the use of security forces to battle protesters. Parties

view the executive branch in Kenya as extremely valuable and “winner-take-all.” Whichever candidate proves successful at gaining the office will have broad policy-making powers that exert more control than parliament and local councils. Political actors see it as a coveted prize and nothing in the constitution suggests it should be shared. Before the final outcome of this election, it never had been.

In the last chapter, we saw that both the closeness of the race and the lack of a third-party guarantor of a free and fair electoral process resulted in a credible commitment problem between the Party of National Unity (PNU) and the main opposition Orange Democratic Movement (ODM). Both sides cheated and created artificial vote totals. Given the multiple strategies available to the incumbent PNU relative to ODM, malfeasance biased heavily in favor of the government. The Electoral Commission of Kenya (ECK) wrongly declared President Kibaki the winner.

In light of incumbent rigging and failure to take the executive branch, the opposition party has two options. First, it can accept the result, in which case there would be no fighting and the incumbent regime would maintain power. Second, it could protest to signal resolve. Why did ODM protest? The loss of policy-making power from losing the election proved significant for ODM. This reality structured people’s incentives to either support the party that controls the state, or try and bargain for inclusion. Even if they did not explicitly support the unfair manipulation of the vote, Kibaki’s supporters were not likely to act violently to their incumbent maintaining office. But Odinga’s supporters took to the streets in protest of results they deemed rigged. This took place in both Odinga’s co-ethnic Luo homeland of Kisumu in Nyanza province, but also other areas that had strongly supported ODM but did not have predominately Luo populations,

including Coast (home of the port city of Mombasa), Nairobi, Rift Valley, and Western provinces. Recall that only 26 percent of Odinga's vote share came from his co-ethnics. Although protests had arisen before Kivuitu certified results, significant demonstrations grew after Kibaki's swearing in. ODM attempted nearly daily protests in Nairobi and Kisumu in the two weeks after. Predictably, the predominately PNU areas remained mostly quiet, including Kibaki's home in Central province.

Focusing on the role of fraud and party support allows us to deduce the following hypothesis:

> H_1: *Constituencies with higher levels of opposition (Odinga) vote shares are more likely to experience violence. Conversely, constituencies with higher levels of incumbent (Kibaki) vote shares are less likely to experience violence.*

The presence of protest demonstrates the weight that the opposition places on trying to bargain a position in a post-election settlement versus having no executive power. Protest shows the opportunity costs of violence relative to exclusion. For parties, policy-making matters because it delivers to one's supporters goods and services they desire, for which politicians gain support at the ballot box. Chapter 2 demonstrates the central role that evaluations of government service provision contribute towards understanding why voters choose to support incumbent or opposition candidates. I argue that perceptions of the extant provision of government services helps to shape the opportunity costs of violence. Areas where citizens view government service provision more positively are less likely to experience violence. Communities with higher

perceptions of service provision are more likely to cooperate since the services they already enjoy outweigh the benefits from violence. Conversely, violence becomes a more attractive option in areas of lower levels of service provision.

Focusing on the role of government services and the opportunity costs of violence allows us to deduce the following hypothesis:

> H_2: *Constituencies with higher perceptions of service provision are less likely to experience violence. Conversely, constituencies with lower perceptions of service provision are more likely to experience violence.*

In response to ODM protest, the incumbent government PNU faced a similar set of choices. First, they could accede to the demands of the opposition protesters by giving up power completely or bargaining a power-sharing arrangement. Both suggest an end to violence. Second, they could respond violently through repression. Given that PNU had already signaled their desire to hold power—namely, through rigging—they were not likely to meet ODM's demands. Instead, PNU employed state-directed strategic violence to target opposition areas, as well as to allow some protests to continue unabated as an important signaling mechanism that the opposition should not be trusted. Similar to ODM, whether the incumbent gave in to demands or fought is a function of the relative cost of inclusion and losses from policy-making power versus the costs of violence.

In this theoretical set-up, I have attributed action to parties—the incumbent PNU and opposition ODM. Why do parties act in this way, as opposed to other institutions, such as ethnic groups? Put differently, why did violence occur between party supporters,

rather than between ethnic groups, as is commonly assumed (Gettleman 2008)? Rigging, protest, and state repression all require coordination. In the context of elections, parties serve this mechanism. Given their need to mobilize voters to turnout, parties are the most likely institutions to clash in the immediate post-election environment (Tucker 2007). ODM protested rigged results. PNU controlled the state security forces and responded violently to ODM protests. A focus on parties underscores the political logic of electoral violence and its contingent nature in the context of elections, especially those parties that rig. This helps to explain why even though they coordinate for local collective action, ethnic communities do not provide superior coordination to parties when it comes to electoral behavior. If they did, post-election violence would correlate more strongly with areas of strong co-ethnic support (in this case, predominately Kikuyu and Luo areas) than areas of strong party support. ODM used protest to signal resolve to try and bargain for inclusive power. In response, PNU strategically deployed state security apparatuses to target ODM protesters. As a result, both ODM and PNU clashed in the post-electoral period.

By implicating PNU, I have also attributed important action to the state. Through rigging and repression, the state turned partisan and PNU successfully marshaled electoral institutions and security services to act on its behalf. Under this scenario, the government fails to arbitrate between parties since it is an actor in that dispute. And tragically, in Kenya, this resulted in severe repression and violent acts committed by state security forces.

Specifically, this included both sins of commission and omission. On the one hand, security forces actively engaged violence. As soon as ODM members took to the

streets, reports arose of Kibaki's General Services Unit (GSU), an elite guard controlled by the president, firing on unarmed civilians, particularly as demonstrations grew in Nairobi, Kisumu, and across the Rift Valley. A female in Nairobi's Kibera slum summed it up: "For me, I think [the cause of violence] was rigging of the votes. After that there was killing, and even the police were a cause. At the time of the violence, there were two groups and the police took sides." A man in Naivasha recalled, "[The police] are supposed to be neutral and keep the peace. But after the election, they contributed a lot to the violence."

The government took additional repressive actions, including enforcing Kenya's draconian laws on preventing demonstrations, to try and stave off any opposition protests. On New Year's Day, ODM tried to stage a "million person" protest in downtown Nairobi's Uhuru Park. Security agents successfully prevented ODM protesters from gathering, and instead, the GSU cordoned them off in Langata, Odinga's home constituency in Nairobi, which includes the Kibera slum. Kibaki allowed the Government to let violence spiral. "… The police chose to deploy massively, not where they were most needed, but concentrated at Uhuru Park to prevent ODM rallies." (CIPEV, p. 200). There were 111 bodies in the Nairobi mortuary between 30th December and 30 January (CIPEV, p. 201), most of whom are believed to have died at the hands of security forces, with a further 61 treated for gunshot wounds at Kenyatta Hospital.[44] Nation-wide, 405 of the 1,133 of the deaths (36 percent) reported in the CIPEV report resulted from gunshots (CIPEV, p. 386).

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[44] Given the lack of guns among members of the public, CIPEV argues that gun deaths can be attributed to security forces.

On the other hand, the state also failed to intervene to provide security in volatile areas, most like to signal to the public that ODM could not be trusted. As CIPEV reports in the Rift Valley: “A resident of Langas estate in Eldoret told Commission investigators that the police there were generally ineffective and unable to control roving gangs which surrounded the estate until the Police Commissioner arrived by helicopter with GSU reinforcements” (CIPEV, p. 54). A female respondent from Naivasha, in the volatile Southern Rift Valley, recalled a horrific event in her area: “There was a neighbor who was chopped up completely as the police watched.” A woman in Nairobi’s Kibera slum commented that, “The police sat in the middle, and that contributed to a lot of chaos because when the youth were burning down places, they did nothing.” And a young man in Dandora, another one of Nairobi’s large slums, perhaps puts it best when he mentioned: “The police are incompetent since the most secure areas in Nairobi are guarded by watchmen or by a group of youth. What is the purpose of police if you will still need a watchman to guard your home?”

Parties and the government are central actors towards the production of post-election protest and violence. In the shadow of fraud, opposition members are likely to protest, and the incumbent party, marshalling its control over the security apparatus, engages protests through repression. The state commits violent acts directly, but also fails to successfully provide for population protection.

Communities

"I think it's the fear factor, the idea that one community is attacking a certain community. So people had to be armed and prepared so that if they are attacked they can fight back." –Male youth in Kibera, in response to the cause of post-election violence.

"There was no trust amongst neighbors who were of different tribes." – Male youth in Dandora, Nairobi

Once the incumbent PNU organized state security services to attack protesters, the resulting lack of security and impartiality activated fear on the part of individuals. Some locations approached conditions of local anarchy. Echoing studies of risk aversion, individuals should put a premium on certainty in their social relations, particularly when they think they are insecure (Callen, Isaqzadeh, Long, and Sprenger 2012). Specifically, this means the maintenance of peace within and between local communities. In a multi-ethnic society with a history of violence, particularly around elections, this may prove difficult. If citizens no longer trust state institutions to uphold the rule of law, who can they turn to for protection? Some communities mobilize for self-help to protect themselves (Fearon 1998; de Figueiredo and Weingast 1998). Individuals may turn to their communities to coordinate and provide for defense given the strength of social (and frequently ethnic) networks and the ability of these groups to overcome collective action problems (Miguel and Gugherty 2003; Habyarimana et *al.* 2009).

The pernicious effects of anarchy do not drive fear and uncertainty at a constant rate across locations. Social institutions in some areas help build certainty and mitigate the effects of anarchy. In other places, institutions and practices are weak and are not

likely to uphold peace. I argue that where communities have prior levels of coordination and the ability to sanction in-group members, violence is less likely as these communities are more likely to control people's behavior and provide for collective defense. This includes keeping the peace internally and deterring would be attackers. Where groups are more internally divided and fail to coordinate, violence is more likely since communities cannot prevent or punish defection (Fearon and Laitin 1996).

Because individuals feel uncertain when the state ceases to provide security, their experiences with prior social institutions may increase or decrease their feelings of uncertainty. It is difficult to measure prior levels social cohesion, however. In the best of all worlds, we would have pre-violence *ex ante* measures of inter-ethnic cooperation or coordination at the community level.

Lacking this, I argue that measuring individual perceptions about their state of dormant ethnic fear is a plausible proxy to understand their feelings of certainty and the likely behavior of members of their group and members of other groups. In Chapter 3, we saw the relevance of fear towards the likelihood of selecting co-ethnic candidates or positive responsiveness to ethnic cues. Individuals who expressed fear at the likelihood of an ethnic stranger winning the presidential election were more likely to be ethnic voters. Recall, to measure dormant ethnic fear, the survey asks respondents: "*I want you to think about your safety. In your opinion, if a member of another tribe than your own were elected to the presidency, would you feel safer, less safe, or would it not make a difference?*" Respondents can provide three responses. First, they may report that the election of a non co-ethnic would make them feel safer than the election of their own co-ethnic. These individuals on average feel safer when ethnic strangers hold the presidency

than their co-ethnics. This forms 18 percent of the sample. Second, individuals may express that they would feel less safe with the election of an ethnic stranger compared to a co-ethic. These individuals on average feel safer with co-ethnics, and form 26 percent of the sample. Third, respondents may not think it makes a difference whether an ethnic stranger or co-ethnic holds the presidency with respect to the state of security. These individuals do not think that the ethnic identity of the president affects their safety, and form 48 percent of the sample.

Let us first examine voters who think that the election of a non co-ethnic will increase their safety relative to a co-ethnic. This may appear counter-intuitive: why would individuals think that they are safer in the hands of ethnic strangers? I argue this could happen for a number of reasons. The belief that a non co-ethnic will provide more certainty, and more security, than a co-ethnic is one indication of local failure to coordinate. That is, individuals in communities where they have less faith in their co-ethnics are more likely to lack organization and the ability to organize for collective defense. These individuals do not trust members of their community, most likely consisting of their own ethnic group, and are anxious about the consistency of their choices and actions. Here, people do not feel secure in their group, and their groups are worse at bargaining. I argue that deterrence is less likely when individuals fail to coordinate and can therefore run amok. I predict an increase likelihood of violence in areas with greater levels of fear of co-ethnics.

Focusing on the role of fear of co-ethnics allows us to deduce the following hypothesis:

H_3: *Constituencies with citizens who express greater fear of their co-ethnics are more likely to experience violence.*

Second, let us examine the sub-set of individuals who believe the election of a non co-ethnic will make them less safe relative to the election of a co-ethnic. These voters probably conform to more standard predictions of individuals who express fear at ethnic strangers and feel safer with their own co-ethnics in power. These voters think that their co-ethnics provide more certainty and consistency in their behavior. I argue that one indication of local success at coordination is increased levels of fear of ethnic others. Individuals in these communities express fear of non co-ethnics and the threat that outsiders pose to their security. These communities are more likely to successfully coordinate and organize for collective defense driven by this anxiety. These communities are organized better and able to sanction in-group members. Certain about fear of ethnic others, individuals in these communities are more prepared, and less uncertain, about how their groups and other groups will behave. These individuals may have experienced traumatic inter-ethnic history, not uncommon in Kenya, and therefore formed institutions and practices that successful maintain peace between communities. When there are more consistent expectations about the behavior of others, groups are more likely to organize for defense. Fear of others can drive cooperation. As a result, these communities are better at deterrence and bargaining, and therefore more likely to maintain peace.

Focusing on the role of fear of non co-ethnics allows us to deduce the following hypothesis:

H_4: *Constituencies with citizens who express greater fear of non co-ethnics are less likely to experience violence.*

Notice that hypotheses 3 and 4 suggest that local institutions, including those that strengthen ethnic relations, reduce, rather than increase, violence. Whereas much of the ethnic literature assumes the opposite—that ethnic groups are destructive institutions—it may in fact be the case that they work to protect individuals, rather than drive them towards conflict.

Last, there is the third set of people who think it does not matter whether an ethnic stranger or co-ethnic is elected with respect to the prospects for their security. These areas could either be highly secure or insecure, yet provide consistent expectations about the future. But people with these beliefs are already certain about the situation of their security in their areas, and do not think an electoral outcome is likely to affect that either positively or negatively. The prediction is that these areas have no relationship to violence.

Focusing on a lack of ethnic fear allows us to deduce the following hypothesis:

H_5: *Constituencies with citizens who do not express ethnic fear are no more or less likely to experience violence.*

Alternative Hypotheses

In Chapter 3, I presented measures from the pre-election survey of social polarization and beliefs about biases in the distribution of services. In addition to fear, these included feelings of strong in-group attachment, prejudice, and favoritism. Besides increasing the likelihood of ethnic voting, these measures may also predict the likelihood of post-election violence since they proxy for immoderate ethnic attitudes. Those who express strong feelings of group belonging and prejudicial views of ethnic strangers may inhabit areas with higher probabilities for violence. Beliefs about favoritism with respect to government services helps to proxy for a number of possible predictors on biases in resources, including with respect to land tenure, a problem that Kenya scholars have long attributed to violence (Anderson and Locherie 2008; Boone 2012; Kanyinga 2009).

We can reformulate those ethnic hypotheses from Chapter 3 to derive the following:

H_6: *Constituencies with greater levels of affective ties are more likely to experience violence.*

H_7: *Constituencies with greater levels of ethnic prejudice are more likely to experience violence.*

H_8: *Constituencies with greater levels of ethnic favoritism are more likely to experience violence.*

4. Data and Methods

To test hypotheses regarding electoral violence in Kenya, I use electoral constituencies as my unit of analysis. Table 1 shows descriptive statistics on my variables of interest. I test hypotheses on the determinants of violence using a novel event count dataset that I have constructed on protest and election-related deaths in Kenya between December 30, 2007 and February 28, 2008. I have built this from content analysis of CIPEV. This creates the dependent variable of whether or not violence occurred within a constituency.

Table 1 here

To test hypothesis 1 on fraud and party support, I use the official election results from the Electoral Commission of Kenya to measure areas of Odinga and Kibaki's support, creating the variables **Odinga Vote Share** and **Kibaki Vote Share**. Some observers argued that protests were likely no matter who rigged the election because citizens lacked faith in the Commission to run a fair race. To proxy for this baseline likelihood of protest regardless of who rigged and won the election, I asked in the pre-election survey: "*How much confidence do you have in the Electoral Commission of Kenya to supervise a free and fair election? Do you have: complete confidence, some*

confidence, or no confidence?" I code the variable **ECK Confidence** as equal to 1 if the respondent expressed "no confidence" in the ECK.[45]

For measures of services provision and ethnicity, I use data from the pre-election survey described in Chapter 3. I create constituency level mean responses to questions regarding central government performance on service provision to test hypothesis 2, as well as the questions included in Chapter 3 on strong feelings of ethnic attachment, prejudice, and favoritism to test hypotheses 6-8. Table 1 presents descriptive statistics on these variables. The variable **Services** comes from the following question: "*Does the central government do an excellent, good, just fair or poor job with the money it has to spend on services?*" I code this variable 1 for positive values (i.e., the aggregation of "excellent" and "good" responses), and 0 with negative values (the aggregation of "just fair" and "poor"). As discussed in Chapter 2, I code them in this way to distinguish generally positive and negative responses.

Probes on ethnicity follow the variables and codings from Chapter 3. **In-Group Attachments** is a measure of ethnic identification. Aggregating responses that mentioned language, tribe, or ethnic group, about 16 percent of the sample identified in ethnic terms.[46] I build measures of **Prejudice** from a proxy question that measures support for out-group welfare following the format designed by Sniderman and his colleagues (Sniderman et *al.* 1991). The question asks: "*In thinking about other tribes in Kenya, which of the following statements is closest to your opinion? A. The government should help poor tribes raise their income. B. People in poorer tribes need to work harder if they*

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[45] I rerun analyses in Table 2 with a wider definition of ECK Confidence to include respondents who replied "no confidence" or "some confidence" with similar results to those presented here with the stricter definition.

[46] These results echo findings from Afrobarometer surveys in Kenya (see Bratton and Kimenyi, 2008).

want to catch up." I code those respondents who answer that poor tribes are not hard workers as having feelings of ethnic resentment and prejudice. To see whether Kenyans perceive the distribution of goods and services from the state as ethnically biased, I first asked respondents to rate the performance of the central government in delivering services. I then asked a follow-up question: "*In your opinion, which of the following is the most important reason you do not get more services from the central government: misuse of funds, favoritism, or not enough money?*" I code those respondents who answered "favoritism" as a positive value for **Favoritism.**

To test hypotheses 3-5 on ethnic fear, the survey asks respondents: "*I want you to think about your safety. In your opinion, if a member of another tribe from your own were elected to the presidency, would you feel safer, less safe, or would it not make a difference?*" I break apart responses for ethnic fear for those respondents who think that they would be safer with the election of a non co-ethnic, or those voters that I deem are more fearful if their own co-ethnics are elected president (18 percent), **Fear of Co-Ethnics**. I term respondents who are fearful for their safety if an ethnic stranger is elected (26 percent), **Fear of Non Co-ethnics**. I interpret fear of one's own group as a measure for the inability of local communities to properly coordinate and sanction in-group members, suggesting the likelihood that collective defense does not work well. I interpret fear of other groups as a measure of local coordination and mobilization for communal protection against the fear of other groups attacking.

I also control for the proportion of Kikuyu and Luo respondents in each constituency given co-ethnic matching between respondents and the ethnicities of the two main candidates, as well as controls for income and urban. I also include a control for

Kalenjin given the historic participation of the Kalenjin in perpetuating violent acts at elections (Throup and Hornsby 1997)[47], as well as standard controls for income and urban/rural setting. This creates the control variables: **Kikuyu**, **Luo, Kalenjin**, **Income**, and **Urban**.

Results

In this section, I present five sets of results on the correlates of post-election violence in Tables 2-7. Table 2 shows the relationship between electoral fraud and violence. Table 3 demonstrates the relationship of service provision on violence. Table 4 shows the effects of ethnic channels on violence for voters who are fearful, and Table 5 combines the significant independent variables from fraud, service provision, and ethnic fear to predict violence. All tests utilize linear probability models, with coefficients and standard errors clustered by province shown. Across the various models, the controls for Kalenjin and Income are the only consistent significant control variables, so they are retained for most of the core models. In each table, I also include a full model with all controls.

Table 2 looks at the effects of fraud on the incidents of post-election violence. Odinga Vote Share is a proxy for perceptions of fraud based on party support. As models 1 and 4 show, areas of strong opposition support were significantly more likely to turn violent, in support of hypothesis 1. The effect is large as well: in model 1, moving from a constituency with no Odinga votes to all Odinga votes increases the likelihood of

[47] I also ran analyses using a control for whether a constituency falls in Rift Valley province, the location of previous electoral violence in 1992 and 1997. Given collinearity with the Kalenjin dummy ($r=0.74$, $p<.01$), I cannot include them in the same models. The Rift Valley typically did not predict violence, although results from Tables 2-6 show that Kalenjin frequently does, so I include Kalenjin here.

violence by 56 percent. In Model 4, this effect remains controlling for the identity of the candidates, suggesting that the party effects are not simply driven by the identity of the presidential candidates and their co-ethnic supporters. Examining incumbent party support, Kibaki Vote Share, shows a similar effect, with a significantly large (45 percent) reduction in the likelihood of violence. ECK Confidence controls for a lack of confidence in the electoral process before the election. Its lack of significance means individuals who held skepticism about the ECK's ability to hold a robust election did not prove more likely to protest after the result. That is, people were not likely to protest no matter what. Which party rigged, and which party was rigged against, matters towards predicting protest. Areas with higher levels of income are more likely to experience violence, as are those with higher shares of a Kalenjin population.

Table 2 here

Table 3 presents the effects of service provisions on post-election violence. Model 1 shows that higher perceptions of service provision resulted in less violence, supporting hypothesis 2. Moving from a constituency with uniformly negative perceptions of government service provision to uniformly positive decreases the chance of violence by 37 percent. Kalenjin and income again predict violence. But the inclusion of the full set of controls in Model 2 attenuates the effects of service provision on violence.[48]

Table 3 here

[48] The Kikuyu control must be excluded here given collinearity with service provision ($r=0.63$, $p <0.01$).

Table 4 shows the effect of various ethnic drivers, including fear, broken down by those who are fearful of their co-ethnics, and those who are fearful of ethnic strangers. It also includes the other ethnic channels that we saw in Chapter 3, including strong feelings of in-group attachment, prejudice, and beliefs about ethnic favoritism. Model 1 presents the effects of fear of one's co-ethnics, which increases the likelihood of post-election violence by 34 percent, in support of hypothesis 3. Conversely, Model 2 shows that fear of non co-ethnics reduces the likelihood of violence by 44 percent, in support of hypothesis 4. Both of these results hold of up the full inclusion of controls in Models 6 and 7. Models 2-4 show that the other ethnic drivers, including in-group attachments, prejudice, and favoritism, do not predict violence, disconfirming hypotheses 6, 7, and 8.

Table 4 here

Table 5 combines the main independent variables on the effects of fraud, service provision, and ethnic fear to examine their joint effects on violence. Odinga Vote Share remains significant, although Services drops significance with the inclusion of the other variables. Fear of one's co-ethnics remains significant – although it drops in Model 2, the p-value closely approaches standard levels (p=0.12). Fear of non co-ethnics continues to perform as expected.

Table 5 here

Robustness Checks

As a robustness check and to test hypothesis 5, I ran the specifications in Models 1 and 6 in Table 4 using a different independent variable: the proportion of respondents who did not express either fear of co-ethnics or those of non co-ethnics, that is, voters who said the election of an ethnic other would "not make a difference" to their safety. This comprised 49 percent of the respondents on the pre-election survey. If fear of co-ethnics and non co-ethnics have differential effects on violence, the belief that the election should not make a difference on safety should have no corresponding effect on violence. Results (not shown) from these tests confirm null findings on this specification of a lack of ethnic fear— namely, areas with higher proportions of those who are not fearful are no more or less likely to experience post-election violence.

In a second robustness check (not shown), I introduce a control variable on ratings of government security provision taken from the exit poll and discussed in Chapter 2. The question asked respondents: "*Do you think the condition of* ***security in your community*** *is excellent, good, just fair, or poor?*" Perhaps what conditioned beliefs about anarchy and self-help in the post-election violence derived from the pre-election levels of security. Areas that were already insecure may have been more likely to experience violence. The exit poll provides data on this question in 137 of the 158 constituencies examined in this chapter, so I exclude it from models in Tables 2-5 so as not to lose observations. However, redoing the core models from those tables with the inclusion of security demonstrate two important points. First, security is usually a significant predictor, with areas of higher security provision at election time having a reduced

likelihood of violence. However, the main variables of interest on fraud, service provision, and ethnic fear also remain significant and perform as expected.

5. Discussion and Conclusion

"Can we have elections without violence? It would be very difficult." – Youth in Kisumu

This chapter explores the political origins of Kenya's post-election violence. Weak electoral institutions contribute to violence when parties rig and citizens view results as illegitimate. Opposition members have incentives to protest given their lack of influence in the policy-making process and exclusion from the executive branch, as well as the government's failure to have provided needed public services. The intervention of the state in committing acts of violence, and failing to provide for security, also creates incentives for citizens to react violently in the shadow of a rigged election. Citizens must try and organize locally for collective defense—and those communities with tighter control over their members are more likely to succeed in this regard and achieve peace, while those who are not are likely to suffer violence.

In this chapter, we have empirically measured the contributions of fraud, service provision, and ethnic fear towards predicting post-election violence. Areas of strong support for the opposition leader Raila Odinga were likely to experience protest, even when controlling for his co-ethnic Luo areas. Similarly, areas of strong support for the incumbent president Mwai Kibaki were significantly less likely to experience protest,

controlling for his co-ethnic Kikuyu areas. Party support thus accounts for some of the variation in post-election violence, above and beyond the ethnic homelands of the candidates competing for office. Interestingly, the ethnic control most likely to remain significant across models was that for the Kalenjin. This suggests that Kalenjin constituencies were either more likely to have a number of perpetrators or victims of post-election violence. Additionally, higher income constituencies were more likely to suffer.

Dormant ethnic fear plays a role in predicting post-election violence, and in nuanced ways. Respondents' fear of the impact that an election of an ethnic stranger would have on their personal security formed the only consistent predictor of ethnic voting in Chapter 3. Here, we see how this fear also shapes the likelihood of violence. Areas with higher levels of fear of their own co-ethnics were more likely to suffer violence, whereas those with higher levels of fear for non co-ethnics were more likely to avoid it. Other measures of social polarization and resource scarcity, including with respect to in-group attachments and prejudice, as well as beliefs about ethnic favoritism, are not significant predictors.

I interpret these results on fear to proxy for local levels of collective action within communities. I argue that in communities with higher levels of fear of co-ethnics, collective action is less likely to occur and as a result, these communities are more prone to violence. Communities with higher levels of fear of ethnic strangers may use that anxiety to coordinate better to protect themselves. Focusing on the role of fear and uncertainty on the part of individuals, and what those indicators might suggest about how local communities operate to protect their members, helps to account for two important

anecdotal regularities in accounts of Kenya's post-election violence. The first involves the degree to which some of the violence appeared pre-planned, highly organized, and orchestrated by politicians and community leaders. The second involves violence of neighbors against neighbors.

Political leaders, including elected leaders, at the national and local levels have been charged with organizing violence. This includes major political party members, local parliamentary and civic councilors, as well as business leaders. When asking a group of youths in Kitale, Northern Rift Valley, who planned the violence, they yelled in unison: "Politicians!" A respondent added: "Even businessmen and community leaders. Many political parties brought the hatred. Our chief was slaughtered like a goat. That is the hallmark of politics." As a male citizen in Nakuru (Rift Valley) recalled, "…In Koibatek, we knew the organizers [of violence], it was well organized by local councilors and other politicians. A friend told me to take my family and leave. Huge lories full of men came from Kericho and Mugirini going to the councilor's residence."

Focusing on the role of politicians and community leaders comports as well with the four high profile indictments of crimes against humanity committed during the post-election violence the International Criminal Court (ICC). Uhuru Kenyatta, a PNU ally, former presidential candidate in 2002, and son of Kenya's founding president, allegedly directed Kikuyu gangs to perform "revenge killings" in the Rift Valley against Kalenjins and Luos. William Ruto, a leading member of ODM, has been charged with organizing Kalenjin youth gangs to target Luos and Kikuyus. CIPEV found consistent evidence that politicians had mobilized gangs of attackers: "The gangs are devoid of ideology and operate on a willing buyer willing seller basis. Given the hierarchical nature of gangs and

the upwardly mobile hopes of their members to become as well off as their leaders, youth can be mobilized for a variety of reasons, not just to meet their daily needs." (CIPEV, p. 33).

Leaders not only committed violent acts, but failed to serve the purpose of upholding local rules and norms, as the public would have expected. Respondents across Kenya expressed the important role that local leaders should have played to counter-act violence and maintain peace. "In our area, elders came and said that there would not be violence. They wanted to talk to young people from all sides, but they were not sincere. They knew what was being planned but they wouldn't divulge information." A youth in Kitale, Northern Rift Valley, reported: "In our area, the government did nothing to resolve the conflict. In the earlier days the elders were responsible for reconciliation, but the chiefs and district commissioner were nowhere. We also had household committees for twenty houses." When asked the best way to solve conflict, a Nakuru male said: "There has to be a council of elders to advise the chief. Then they can propose punishment and solve problems locally." As a girl in Mathare, a slum in Nairobi described: "[To solve conflicts] in our area, we used to go to the chief and the District Official, as well as elders. They did not like conflict. The youths were the violence ones. Elders from each clan would meet with the violent youth and try to solve the problems. But today's youth don't listen to elders."

Perhaps shockingly, this abrogation of duty also included leaders of the church. A man from Eldoret offered the assessment that, "The church took sides in the conflict. And it was through the pulpit that politics was preached, and they even prayed for the warriors." A Kikuyu from Eldoret said, "I have been an elder for the last twelve years.

We used the council of elders to solve problems. We handled small issues, then we would go to the assistant chief, then the chief. But the Kalenjin were not happy. It reached a point where even the local church which was Catholic started preaching in Kalenjin. Even my daughter was a member of that church and she had to leave."

The importance of political and community leaders of organizing and orchestrating some of the violence, and failing to use their legitimacy to broker peace, supports the view that many local communities lacked the proper organization and structure to provide for collective defense. As I have argued, individuals seem to have predicted this ex ante by expressing anxiety and fear.

A second characteristic of the post-election violence involves what Kalyvas (2005) terms "intimate violence," or that of neighbors targeting neighbors. This could happen because of political or social/ethnic divisions, or local score-settling for past crimes or injustices in the absence of legitimate law and order. Females in Nakuru (Rift Valley), when asked who did the violence, replied: "It is people we know. Some are neighbors." A female respondent in Nakuru recounted a particularly horrific incident. "One woman was found by her neighbor in the evening on a Sunday and they told her to go and she tried to get her children … She only managed to get two of her children and ran. Her twins were pushed inside the house and she ran and from a distance she saw her housing with her children inside. This was done by people she knew."

CIPEV recounts a tragic story from a 70 year old man living in the Rift Valley: "On 31st December, 2007 at about 5 p.m., he had a family get-together in his house at Chagaiya village in Kesses location, when a group of about forty young people, among them his neighbours, struck. They said they wanted five heads from that house – his and

his four sons'. As he pleaded for mercy one of them struck his son on the chest with a club and another shot him with an arrow as he tried to escape. Another son was pierced with a spear and his throat was cut. The rest of the family tried to hide inside the house but it was broken down and they were pulled out. His daughter and her child were pulled out and their throats were slit. So was his wife's throat. That is when Mzee Macharia escaped into a nearby bush and watched (CIPEV 45)."

Violence between neighbors shows breakdown of collective action within communities. Individuals in these areas are highly uncertain, highly insecure, and fearful. Citizens may fear their local leaders, and hold little faith that social institutions, such as those regarding restitution and the maintenance of peace, will operate once the state pulls back. Violence directed by politicians and committed by neighbors is not mutually exclusive, in fact, they overlap and result from a similar set of circumstances. Individuals who express anxiety at the lack of order and organization in their communities are likely to predict areas where this occurs.

Ethnicity therefore plays a nuanced role in understanding violence. Recall results from Chapter 3, which found that the only consistent predictor of ethnic voting across the Kenyan population was fear. Latent ethnic fear does not cause day to day violence in non-electoral periods. In most areas and in most times, Kenyans live in peace. But ethnic fear becomes active during elections given uncertainty of outcomes, unfair electoral processes, and the inability of the state to provide local security when it turns partisan and supports the incumbent party.

Highlighting the importance of local collective action towards security provision under uncertainty caused by the lack of political order echoes the insights of Robert

Bates's (1983) reading of the seminal anthropologist E.E. Evans-Pritchard's study of the Nuer in Southern Sudan (1940). Evans-Pritchard observed a high degree of successful coordination between Nuer communities in a stateless society. Given that the Nuer hold their wealth in cattle and therefore engage in cattle raiding, observers should predict a high degree of violence within Nuer communities. However, the Nuer have a practice of compensation if villages raid one another—the raiding village pays the raided village some number of cattle in arbitration. As a result, Bates argues that villages face a prisoner's dilemma: it may be individually rational for raiders to try and steal cattle from other villages, but both villages face a sub-optimal allocation of cattle if any individuals raid (the raided having lost through battle, the raiders having lost through compensation), leaving both communities worse off than they would be in the absence of fighting.

Yet there remains a remarkable degree of peace between Nuer villages. Bates highlights the importance of deterrence: "The existence of threats can be held to generate and expansion of the set of strategies to include not only the use or abnegation of force but also the *contingent* use of force, i.e. the use of force only as a form or reprisal…. In the face of credible deterrent threats, it is thus possible for both parties, behaving rationally, to choose not to use force, and for this state of affairs—peace within the feud—to persist" (Bates 1983, 14). The insights of Evans-Pritchard and Bates are important for Kenya, where the strength of social bonds in local communities to collectively organize increase the likelihood that villages establish peaceful relations with one another.

By investigating the correlates of post-election violence, we again see that institutional failure on the part of political leaders hold important implications for the

maintenance of political accountability in Africa. When government fail to establish fair electoral practices, fail to deliver services, and abrogate their duties as neutral arbiters and providers of security, citizens must find ways to protect themselves. Lacking political order but wanting to maintain peace, citizens can turn to their local communities to provide for security. However, some communities perform this duty better than others. Where citizens are better able to organize and provide for local defence, violence is less likely. Where local communities fail to coordinate, citizens feel the pernicious effects of anarchy more acutely and turn against their neighbours. Communities, and the ethnic structures that overlay them, therefore provide an important function with respect to the provision of social order. Contrary to much of the literature written about ethnicity that we have seen in this and previous chapters, war may in fact result where groups are weak and incapable of controlling their members, rather than where they are strong. Ethnicity and ethnic structures, to the degree that they matter, actually decrease the likelihood of post-election violence in Kenya.

The post-election violence in Kenya abated when PNU/Kibaki and ODM/Odinga signed an agreement after mediation by Kofi Annan, former Secretary General of the United Nations on February 28th, 2008, after eight weeks of intensive conflict. The negotiated settlement between PNU and ODM in February-March 2008 illustrates how power-sharing and inclusive government can reduce incentives to fight in the short-term. The signing of the agreement, which kept Kibaki president and made Odinga prime minister with all parties members of a Grand Coalition, signaled to the public that the agreement would accommodate all political factions in the post-election structure of government and allocation of resources. Inclusive government brought all sides into

government, thereby creating more certainty and reducing fear. This helped to build the expectation that the state would become a neutral arbiter of the provision of security for those aligned with the incumbents and opposition.

Table 5.1: Summary Statistics for Constituency Level Analysis of Post-Election Violence

	N	Mean	Standard Deviation	Min	Max
Constituency Violence	158	0.46	0.50	0	1
Odinga Vote Share	156	0.51	0.37	0	1
Kibaki Vote Share	156	0.43	0.35	0	0.99
ECK Confidence	158	0.47	0.28	0	1
Services	158	0.41	0.32	0	1
Fear of Co-Ethnics	158	0.19	0.21	0	1
Fear of Non Co-Ethnics	158	0.26	0.24	0	1
In-Group Attachments	158	0.14	0.16	0	0.67
Prejudice	158	0.19	0.19	0	0.75
Favoritism	158	0.35	0.27	0	1
Income	158	0.17	0.21	0	1
Kalenjin	158	0.14	0.31	0	1
Kikuyu	158	0.20	0.33	0	1
Luo	158	0.14	0.31	0	1
Urban	158	0.30	0.33	0	1

Table 5.2: The Effects of Fraud of Post-Election Violence

	Model 1	Model 2	Model 3	Model 4
I. Fraud				
Odinga Vote Share	0.562**			0.671*
	(0.141)			(0.270)
Kibaki Vote Share		-0.446**		
		(0.107)		
ECK Confidence			-0.159	
			(0.181)	
II. Controls				
Income	0.509 +	0.467	0.493	0.410*
	(0.249)	(0.259)	(0.289)	(0.164)
Kalenjin	0.172	0.267 +	0.463*	0.208
	(0.102)	(0.133)	(0.133)	(0.258)
Kikuyu				0.208
				(0.119)
Luo				-0.004
				(0.303)
Urban				0.203
				(0.118)
Constant	0.065	0.539**	0.390 +	-0.079
	(0.098)	(0.148)	(0.199)	(0.102)
Pseudo-R2	0.287	0.235	0.159	0.316
N	156	156	158	156

+ p<0.1 * p<0.05, ** p<0.01, *** p<0.001

Coefficients and robust standard errors clustered at the provincial level shown

Table 5.3: The Effects of Government Service Provision on Post-Election Violence

	Model 1	Model 2
I. Services		
Government Services	-0.366*	-0.218
	(0.138)	(0.244)
II. Controls		
Income	0.580 +	0.430 +
	(0.249)	(0.186)
Kalenjin	0.358*	0.504 +
	(0.127)	(0.226)
Kikuyu		
Luo		0.309
		(0.239)
Urban		0.224
		(0.135)
Constant	0.464*	0.297
	(0.149)	(0.273)
Pseudo-R2	0.203	0.252
N	158	158

+ p<0.1 * p<0.05, ** p<0.01, *** p<0.001

Coefficients and robust standard errors clustered at the provincial level shown

Table 5.4: The Effects of Ethnicity on Post-Election Violence

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7
I. Ethnicity							
Fear of Co-Ethnics	0.341*					0.312 +	
	(0.114)					(0.133)	
Fear of Non Co-Ethnics		-0.441 +					-0.465*
		(0.226)					(0.147)
In-Group Attachments			-0.374			-0.366	-0.372
			(0.273)			(0.262)	(0.225)
Prejudice				-0.364		-0.333	-0.306
				(0.223)		(0.190)	(0.191)
Favoritism					0.277	0.024	0.048
					(0.172)	(0.125)	(0.156)
II. Controls							
Income	0.476	0.427	0.498	0.508	0.481	0.430*	0.384
	(0.283)	(0.283)	(0.268)	(0.289)	(0.273)	(0.163)	(0.165)
Kalenjin	0.415*	0.448**	0.441*	0.452*	0.377*	0.498 +	0.542*
	(0.121)	(0.124)	(0.136)	(0.141)	(0.139)	(0.217)	(0.223)
Kikuyu						-0.024	0.063
						(0.231)	(0.183)
Luo						0.405	0.458
						(0.222)	(0.205)
Urban						0.191	0.148
						(0.129)	(0.135)
Constant	0.261	0.441*	0.371*	0.381*	0.231	0.256	0.411
	(0.139)	(0.156)	(0.153)	(0.160)	(0.137)	(0.252)	(0.241)
Pseudo-R2	0.172	0.194	0.166	0.171	0.171	0.288	0.311
N	158	158	158	158	158	158	158

+ p<0.1 * p<0.05, ** p<0.01, *** p<0.001

Coefficients and robust standard errors clustered at the provincial level shown

Table 5.5: The Combined Effects of Fraud, Services, and Ethnicity on Post-Election Violence

	Model 1	Model 2	Model 3	Model 4
I. Independent Variables				
Odinga Vote Share	0.567**	0.620 +	0.557*	0.569 +
	(0.153)	(0.269)	(0.164)	(0.266)
Services	0.040	-0.037	0.067	-0.015
	(0.159)	(0.161)	(0.150)	(0.148)
Fear of Co-ethnics	0.232*	0.199		
	(0.096)	(0.112)		
Fear of Non Co-ethnics			-0.268 +	-0.300*
			(0.134)	(0.111)
II. Controls				
Income	0.494 +	0.419 +	0.460	0.386 +
	(0.258)	(0.179)	(0.262)	(0.181)
Kalenjin	0.152	0.203	0.187 +	0.266
	(0.088)	(0.260)	(0.087)	(0.264)
Kikuyu		0.219*		0.240**
		(0.087)		(0.064)
Luo		0.029		0.102
		(0.309)		(0.295)
Urban		0.181		0.158
		(0.118)		(0.126)
Constant	0.008	-0.077	0.115	0.044
	(0.181)	(0.152)	(0.207)	(0.170)
Pseudo-R2	0.296	0.323	0.302	0.332
N	156	156	156	156

+ p<0.1 * p<0.05, ** p<0.01, *** p<0.001

Coefficients and robust standard errors clustered at the provincial level shown

Chapter 6

Conclusion

1. Introduction

The maintenance of political accountability forms a core component to the survival of emerging democratic regimes in Africa. In a fair system, elections allow for increased participation and the responsiveness of political leaders to the needs of the electorate. Elections are required for citizens to punish bad behavior on the part of errant leaders and reward good performers. New democracies in Africa do not always live up to this standard—politicians frequently engage in ethnically divisive campaigns, electoral corruption and fraud undermines credible races, and protest and violence too often accompany races.

Prior predictions on the problem of accountability focus on voters, and the determinative role of ethnicity in shaping electoral outcomes. Many observers and scholars blame the deleterious effects of social polarization and ethnic biases in the distribution of resources from the state. Strong attachments and feelings of in-group belonging, fear and prejudice towards ethnic outsiders, and beliefs about favoritism may all drive voters to select co-ethnic candidates, and lean more heavily on information about a candidate's ethnicity. Ethnic ties may make elections zero-sum contests that turn

violent because losers do not want governance from a rival group. Whether for social or instrumental reasons, these strong ethnic pressures from below vitiate non-ethnic forms of accountability.

In this dissertation, I have taken a different approach to understanding political accountability in Africa. I focus on the complex interaction of what voters demand from politicians, and how politicians in turn respond to voters in the context of winning elections. The evidence I present highlights two important general findings. First, Africans demand well-performing representatives. Citizens use their vote to support candidates who promise to and deliver services, as well as needed political and economic reforms. Even when ethnic considerations are present, Africans fundamentally desire a productive government. Second, elections fail because politicians frequently ignore the demands of voters and subvert legitimate democratic practices. Political leaders curtail legal electoral practices through unfair manipulation of the vote, particularly when they perceive voters are likely to unseat them. Fraudulent behavior on the part of politicians, working through corrupt electoral institutions, instigates post-election protest and violence between party supporters, security forces, and communities. This violence erodes the growth of nascent democratic institutions, and may cause reversion or breakdown.

Mirroring many trends across Africa with respect to the pattern, nature, and consequences of elections, the case of Kenya allows us to explore the roots of accountability. 10 million voters went to the polls in December 2007, many with an eye towards improving the performance of their elected leaders. Presidential candidates in Kenya cannot usually win elections through co-ethnic support only. Mwai Kibaki had to

appeal to voters beyond his co-ethnic Kikuyu base. Given his mixed success since taking office in 2002, he garnered significant support from non co-ethnics, but not enough to have retained office fairly. His main challenger Raila Odinga succeeded by appealing to voters beyond his co-ethnic Luo base, by running a campaign which highlighted Kibaki's shortcomings. Performance and policy issues featured heavily and Odinga succeeded at painting himself a credible alternative to Kibaki.

Unfortunately, wide-scale rigging undermined the demand for accountability from Kenyan voters. Although both the incumbent Party of National Unity and Orange Democratic Movement rigged in their areas of strong political support, PNU also exerted pressure over the Electoral Commission of Kenya. Rigging at a centralized level was enough to guarantee Kibaki's re-election, although the result of the election did not legitimately reflect Kenyans' desire for change, and an Odinga victory. Fraud sparked post-election protest and violence that produced the most concentrated threat to the Kenyan state since independence. At the end of the violence eight weeks later, 1,200 had died, 700,000 had been displaced, and economic activity had completely shut down all over East Africa.

The inability to establish consistent accountability through elections in fragile democracies like Kenya therefore relates to institutional supply, rather than citizens' demands. Voters want political and economic reform and value performance. They vote to maintain linkages of political accountability between themselves and their elected leaders. But emerging democracies frequently lack the public and electoral institutions that encourage politicians to play fair.

2. The Aftermath of the Election Crisis

Political developments since the 2007-08 election crisis give cause for optimism and skepticism about the future of democratic consolidation in Kenya. Mediation between PNU/Kibaki and ODM/Odinga under direction from Kofi Annan resulted in a cessation of violence. On February 28, 2008, the two parties signed "An Agreement on Principles of Partnership of the Coalition Government" otherwise known as the National Accord and agreed to adjust the constitution to provide for power-sharing. Mwai Kibaki kept the presidency and Raila Odinga received the new post of prime minister. The two parties shared two new posts of deputy prime minister and also distributed cabinet posts equally. The agreement also required undertaking reforms on long-standing political, economic, and social challenges which could lead to a recurrence of violence if left unaddressed.

The Coalition embarked on an ambitious package of reforms, including constitutional and institutional transformation regarding judicial, police, and land reforms; problems of poverty, inequality, regional imbalances in development, and youth unemployment; the need for transparency, accountability, and an end to a culture of impunity; and the goal of consolidating national cohesion and unity. As we have seen, these issues had been at the center of political conflicts in Kenya, flaring up particularly at the time of general elections.

Most notable among the package of reforms included a review of Kenya's constitution, which had been amended several times since independence in 1963 to

concentrate more and more power in the executive branch. The National Accord established a time frame for a new constitution, and the process began in December 2008. By early 2010 a draft constitution was finalized and presented for national debate. The Coalition had successfully developed a new constitution in less than two years, holding a referendum in August 2010. President Kibaki and Prime Minister Odinga, both of whom supported the proposed draft, unified their efforts and rallied their constituencies in favor of it. Voter turnout for the referendum was unprecedented: at 72 percent, it was the highest in Kenya's electoral history, with 67 percent voting in favor. This forms a critical development following the political violence that accompanied the disputed 2007 presidential election.

Despite this success, the road to democratic consolidation faces challenges in Kenya. Many of the provisions of the constitution have not been implemented, and a number of important reforms have not taken place. The government disbanded the ECK and formed a new electoral commission, but parties have succeeded at delaying its ability to undertake necessary actions for election management ahead of the next race in March 2013. Moreover, the government has failed to adequately address the prosecution of perpetrators of post-election violence. Although the International Criminal Court has indicted four suspects, thousands of crimes from the period of the election crisis have gone unresolved. Two of the ICC suspects, Uhuru Kenyatta and William Ruto, are currently running for president against Raila Odinga. Without resolution of cases of post-election violence from 2007-08, fears of campaign violence in 2012-13 continue to grow. Whether Kenya can manage to run a credible race without violence is yet to be seen.

3. Achieving Political Accountability in Emerging Democracies

Exploring political accountability in emerging democracies provides important theoretical, methodological, and practical lessons in the study of African elections. Theoretically, uncovering the micro-foundations of political choice contributes important knowledge to the ways voters demand accountability and good performance. If Africans cast ballots to express ethnic identity or access goods from co-ethnics, elections will exacerbate social polarization. Leaders will not pursue policies supported by the majority of voters and corruption will continue. The political system will always reward those groups that are large or powerful enough to access power, while excluding others, and over-time, cause reversion and breakdown. If elections do little more than promote ethnic interests, both domestic calls for reform and international efforts aimed at promoting democracy and electoral assistance will gain little traction. In this view, elections may prove so deleterious that transitioning societies should forego them altogether, or delay them significantly.

If, on the other hand, Africans vote with an eye towards improving the performance of elected officials and strengthening accountability, elections may serve as an important engine for creating policies which encourage more constructive political and economic results. Elections will signal the preferences of African voters to political leaders and should reward performance and policies that promote citizen welfare over

time. In this dissertation, I highlight the important non-ethnic factors that contribute to political behavior in African countries.

Beyond the demands of citizens, the behavior of politicians and institutions that govern elections hold important implications for the conduct of African elections. As we see in Kenya, a partisan electoral commission and corrupt political leaders subverted the will of voters. Cheating occurred on both sides, but heavily in favor of the incumbent party, and by enough that the Electoral Commission of Kenya declared the wrong winner. Moreover, election fraud creates incentives for protest and post-election violence when citizens view the results as illegitimate and state security apparatuses fail to provide protection for communities. Understanding the political logic of election fraud, its extent in undermining the electoral process, and its contribution towards post-election violence forms a critical component in exploring political accountability in Africa. Voters may do their part to uphold the promise of elections, but in Africa's weak institutional environment, politicians can too easily undercut fair races.

Methodologically, I advance the use of exit poll surveys in the study of political accountability. Exit polls provide a number of important benefits over household surveys in trying to uncover the sources of voting behavior in Africa. Many prior studies, including the multi-year and multi-country Afrobarometer, enumerate surveys in non-electoral periods, when the identity of candidates may be unknown, and performance and policy issues are not yet salient in the context of campaigns. Exit polls survey voters right after they have cast ballots, when their full menu of information is known, and they are no longer open to persuasion. Their reported "revealed preferences" on the survey prove critical towards estimating the matrix of information cues that voters rely on at the time

they cement their decisions into action. Exit polls have the additional benefit of providing independent vote verifications of the election. Given the potential for extensive rigging—of the kind seen in Kenya and elsewhere across Africa—exit poll surveys provide an important check on the certified result. My exit poll in Kenya was the only independent source of information about how Kenyan voters, and demonstrated discrepancies that fundamentally altered who won, with severe implications for the post-election environment.

As a practical matter, citizens cannot create accountability on their own. Simply holding elections with high voter turnout does nothing to guarantee that races will uphold accountability mechanisms between citizens and politicians. The record in Africa generally, and Kenya specifically, suggests that elections frequently fail. But policymakers can pursue a number of actions to make electoral processes more robust. First, the bodies charged with managing elections, including most importantly electoral commissions, must establish independence to operate as third party guarantors of credible races. Working in conjunction with domestic civil society, aid and assistance from the international community might serve to support electoral processes in robust ways. Besides the desire to strengthen local accountability and expand the community of democratic states, policymakers promote elections in Africa's emerging democracies as a core component of post-conflict resolution. For example, the international community recently lent significant technical and diplomatic support for electoral processes in Sudan, Liberia, Sierra Leone, and Ivory Coast. So far, a lack of understanding regarding electoral quality means that policymakers do not have the information they need to ensure that elections help resolve rather than instigate conflict. This information is vital, because *post*

hoc solutions to electoral violence, like power-sharing arrangements, are poor substitutes for legitimate electoral process.

The policy goal must ensure the proper conduct of elections in the first instance. My findings suggest specific guidelines for how civil society and the international community can support efficacious electoral processes and deter fraud. First, the guidelines include efforts to support the establishment of independent electoral commissions and provide continued oversight and monitoring of electoral institutions. Second, policymakers must consistently support the implementation of independent vote verifications, through tools like exit polls, and should work to develop innovative anti-fraud technologies that can be sustained locally and are suitable for viral, nation-wide, adoption. These form inexpensive and more effective ways to detect and combat fraud than do other kinds of governance aid, and will help to lend needed credibility to elections.

I expect insights learned from studying accountability and elections in Kenya and Africa to lend knowledge to other developing democracies with social divisions, such as Iraq, Afghanistan, Libya, Yemen, Egypt, and Pakistan. The international community rightly invests resources in these elections, particularly given the regional and international security concerns that local instability creates. Yet policies for ensuring electoral credibility and fairness have been *ad hoc*, inconsistent, and subject to persistently shifting emphasis on the part of international actors. The case of Kenya shows the important role that the international community can play in elections in emerging democracies. But their actions should support, not undermine, the energy that millions of voters have put into demanding political accountability from their leaders.

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