Political and Electoral Violence in East Africa

Contents

Foreword

This working paper is another in the collaboration between the Centre for Conflict Research (CCR) and Friedrich Ebert Stiftung (FES). Other related working papers based on regional conferences organized by the two organizations include *Conflict Management in Africa: Lessons Learnt and Future Strategies* (Nairobi, July 2000), and *Borders, Frontiers and Conflict in Africa* (Nairobi, June 2001).

The paper is the result of a regional conference on the theme of Political and Electoral Violence in East Africa, held in Nairobi on May 10, 2001. It was attended by representatives of the three electoral commissions in East Africa, representatives of both the ruling and main opposition parties in the region, non-governmental organizations as well as academics and scholars in the field of conflict research and management.

The conference explored the area of political and electoral violence in each of the three East African States and the participants engaged in information sharing and lively debate on how and why these phenomena occur and what can be done to combat them. It is as a result of the lively deliberations at the conference that we have been able to publish this working paper, which incorporates the discourse from both the paper presentations made by selected delegates and the discussions thereafter from the plenary sessions.

My appreciation to all those individuals and institutions that made this conference the success it was, especially those in CCR who were responsible for the preparation and administration of the conference. My warmest gratitude also goes to the Attorney-General of the Republic of Kenya, Hon. Amos S. Wako who so graciously accepted to open the conference at very short notice.

Further acknowledgement is proffered to the resource persons who so willingly made or discussed presentations and in particular Justice Augustino S.L. Ramadhani, Vice-Chairman of the National Electoral Commission of Tanzania; Professor Ibrahim Haruna Lipumba, Chairman of the Civic United Front in Tanzania; Mrs. Flora K. Nkurukenda, Deputy Chairperson, Electoral Commission of Uganda;

Mr. Oketha Okecha Bazil from the Reform Foundation of Uganda; Dr. Makumi Mwagiru of the CCR in Kenya; Mr. J. H. Tsola, Administrative Secretary of the Electoral Commission of Kenya; and Mr. George Omari Nyamweya, Organizing Secretary, Democratic Party of Kenya.

Finally, I would like to thank my former colleague at FES, Mugambi Kiai, who willingly accepted to compile and edit all the presentations and discussions made at the conference, even after some considerable passage of time subsequent to the conference.

Dr. Roland Schwartz
Director
Friedrich Ebert Stiftung
Nairobi Office

Introduction

Political and electoral violence are pernicious vices that continue to afflict all the three East African states. It is a truism that these two are mother and baby: with political violence being the umbrella under which electoral violence shields itself. The motivation behind these two categories of violence is eminently political; it is the unfair acquisition of political advantage by one individual or group or individuals over another.

Dr. Makumi Mwagiru, Director of the Centre for Conflict Research, in his paper *Political and Election Violence in Kenya*, defines political violence thus: "Political violence is violence over political competition…At its heart; political violence is concerned with the issue of the legitimacy of government. It removes or fractures political competition, and is aimed at removing or cowering political dissent."

Electoral violence is that political violence that aims at the electoral process. It is geared towards winning political competition or power through violence, subverting the ends of the electoral and democratic process. As Dr. Mwagiru notes, "Its tool of trade is the intimidation and disempowerment of political opponents. Election violence takes place not just at election time, but in periods leading to elections, during the elections themselves, and in the period immediately following elections such as during the counting of ballots."

Various metaphysical and dialectical reasons are given as the root causes of both political and electoral violence. On the metaphysical front, violence is seen as part of nature meaning that certain human beings are so bad that they are inherently violent. Hence the only way to deal with the problem is to get rid of them. Dialectically, violence is seen as a result of the prevailing environment surrounding an individual. In this case, it is clear that there is room to change the situation and hence alleviate or totally eliminate the violence. Hence, this view encourages political dialogue and negotiation between competing parties. The schools that define violence as metaphysical and dialectical can be termed as the nature-versus-nurture schools of thought.

The high incidences of political and electoral violence can also be explained by cultural factors. Here, there is a political culture of thuggery that generally predisposes actors to

engage in violence and intimidation during political contests. Within the context of the existing political system, the decay of political and social systems result in violence becoming the tool for settling political contests and managing political conflicts.

There is also a structural explanation to violence. In this regard, the structures of society and politics are organized in such a way as to generate conflicts, even though there may not be physical violence. But if the structural gaps are not addressed, there is likely to be actual physical violence. It is within this school of thought that the selective application of the law and the lack of an even electoral playing field fall.

Whatever school of thought one subscribes to, it is clear that political and electoral violence are social and political pestilences that must be removed *in toto* from our society before they cause societal implosion. Hence the need to continue sharing ideas and maintaining the critical discourse that will ultimately inform whatever remedial action will be taken to successfully extirpate these twin evils.

For ease of reading, the arrangement of chapters has an executive summary and conclusion immediately preceding the main sections containing information on political and electoral violence in the three East African countries. These sections are a summary of the presentations and subsequent discussions at the *Regional Conference on Political and Electoral Violence in East Africa* and encapsulate the major themes explored at the conference.

Executive Summary

The matrix below summarizes the information presented and discussed at the conference under specific themes in relation to the different East African states.

	Tanzania	Uganda	Kenya
Nature of Political and Electoral Violence	Assault	Beatings	Battery
	Murder	Killings	Assassinations
	Attempted murder		Attempted assassinations
	Malicious or wanton damage/destruction of property	Malicious damage to property	Destruction, looting and damage of property
	Arson		Arson
	Threats to violence	Threats of beatings	Threats of violence
	Threats to kill	Death threats	
	Bombings		
	Disruption of political campaign rallies		The violent or physical disruption of public meetings and campaign rallies
	Hooliganism		Political thuggery
	Fighting	Torture	Torture
		Extra judicial executions	
		Arbitrary detention	
		Abduction and kidnapping	Hijacking and confinement
		Arrest without warrants	
		Personal humiliation by stripping to nakedness	

	Tanzania	Uganda	Kenya
		Shootings	
		Chasing away of voters from polling stations on the pretext that they were non-Ugandans or under-age	
			Rape
			Sexual harassment
			Hate speeches
			Defamation/insults
			Closure of party/campaign offices or premises
			Economic repression/ sabotage, eviction/ displacement
Causes of Political and Electoral Violence	Lack of faith in the National Electoral Commission		The lack of independence of the Electoral Commission of Kenya
	Difficulty in securing an electoral petition		
	Lack of awareness of the electoral process and legal provisions available by most political party leaders		
	Attitude of political party leaders	Political greed	Reluctance to accept legitimate political competition or pluralism
	Political repression, harassment and intimidation	Political Repression	The use of political power to disenfranchise opponents and selective use of the law

	Tanzania	Uganda	Kenya
		Poverty	The dramatic increase of poverty leading to a class of economically disenfranchised people (especially the youth) who can be used to perpetrate political and electoral violence
		Late enactment of electoral laws	
		Under-funding of the electoral process hence diminished capacity to police it	
		Incitement	Incitement
		Illiteracy	
			The breakdown of conflict management mechanisms within the executive, legislature and judiciary leading to a sharpening of incidences of political and electoral violence
			Ethnic balkanization through political manipulation such as the arbitrary creation of districts and constituencies
Steps taken against Political and Electoral Violence	Infusing credibility in conduct of elections by increasing watchdog role of political parties		
	Reducing opportunities for violence		
	The Electoral Code of Conduct		The enforcement of the electoral code of conduct
	Use of the Police/ Disciplined Forces		

	Tanzania	Uganda	Kenya
		Institution of constitutional and electoral reforms	Constitutional review
			Constant use of lobbying to combat impunity in Kenya
		Introduction of elections by secret ballot using one ballot box for all contesting candidates	
		The movement system has reduced ethnic, sectarian and religious divisions, a source of political tension and violence.	

Conclusion

Quite clearly, political and electoral violence are phenomena whose causes and nature are, to a sizeable extent, shared among the three East African states. This would also indicate why there are also some shared responses to these vices in the region, such as enforcement of the code of conduct and the institution of constitutional and electoral reforms. Among the shared causes of violence in East Africa are the perceived lack of independence of the electoral commissions, political greed, political repression, poverty, and incitement. Assault, murder, attempted murder, arson, malicious damage to property, death threats and threats to violence, torture, hooliganism, the violent disruption of political meetings and rallies, and abduction and kidnapping, are considered to be common among the types of political and electoral violence in East Africa.

However, there are also a number of unique features pertaining to each individual country in the region with regard to political and electoral violence. This could be attributed to each country's unique political and economic history and reality. For instance, with regard to the nature of political and electoral violence, one notices that extra-judicial executions, arbitrary detentions, personal humiliation by stripping to nakedness and the

chasing away of voters from polling station are unique to Uganda while bombings are to be found in Tanzania. In Kenya, there is rape, sexual harassment, hate speeches, eviction and displacement, as the unique examples of the nature of political and electoral violence in the country.

The long and short of this, however, is that there is a lot for each country to learn from one another given the shared features of political and electoral violence. Where there are unique features of political and electoral violence in the individual countries in the region, this should also be a subject of information sharing, given that they share common open borders and intend to federate in the future; meaning that these are likely to soon become shared phenomena.

Tanzania

Background

The United Republic of Tanzania is a union of Tanganyika (Tanzania Mainland) and Zanzibar (Tanzania Zanzibar). Tanganyika obtained independence on December 9, 1961 under the leadership of the Tanganyika African National Union (TANU) which had won all the seats in the 1958-9, and all but one in the 1960 elections.

Zanzibar has a more chequered electoral history. The first elections in 1957 were contested by three political parties, namely: the Afro-Shirazi Union (ASU), the Zanzibar Nationalist Party (ZNP) and the Muslim Association (MA). In that election, the ASU won four of the five seats on offer while the MA won the remaining one.

ASU would shortly thereafter become the Afro-Shirazi Party (ASP) but soon splintered when some indigenous Zanzibaris broke away, citing domination by mainlanders, and formed the Zanzibar and Pemba Peoples Partly (ZPPP).

The second election was held in January 1961 with ASP garnering 10 seats, ZNP 9, and ZPPP 3 seats. An additional constituency was created and a third election held in June 1961. This was a bloody and violent election which resulted in 63 deaths and more than 350 injured. Both ASP and ZNP obtained 10 seats each while ZPPP retained its 3 seats.

In 1963, a fourth election was held after the constituencies had been increased to 31. Although it won 54% of the total valid votes cast and obtained 13,000 more votes than the total votes of the other two political parties together, the ASP secured only 13 seats compared with the ZNP's 12 and ZPPP's 6; giving the two parties a collective 5 seat advantage. This has been attributed to a protectorate agreement between the British Government and the Arab Sultan which saw the former persistently demarcate constituencies in favour of the ZNP, the predominantly Arab party viewed to be loyal to the Sultan. It is this fact that precipitated the bloody revolution of January 12, 1964.

Tanganyika and Zanzibar united on April 26, 1964 and Zanzibar never had any elections until 1977 when ASP and TANU united to form Chama Cha Mapinduzi (CCM). Meanwhile, Tanzania Mainland has held elections every five years since 1960. Until 1990, these elections were held under one party, firstly TANU and then CCM.

Electoral violence was largely unknown in Mainland Tanzania and exploded onto the scene only in the 1995 multi-party general election. In Zanzibar, the political violence witnessed in the early years had been suppressed by the one-party system and resurfaced in the 2000 multi-party elections.

Nature and Highlighted Incidences of Political and Electoral Violence

Political and electoral violence has manifested itself in various forms including assault, murder, attempted murder, malicious or wanton damage/destruction of property, arson, threats to violence, threats to kill, bombings, disruption of political campaign rallies, hooliganism and fighting.

In the 2000 General Elections, during the period between June 19 to November 7, 2000,[1] there were seventeen incidents of malicious damage to property, six of arson, two incidences of assault, eleven of threatening of violence, one of threatening to kill, and two of wounding. Moreover, on November 13, 2000, an attempt was made on the life of Mr. Masoud Mohammed Ally, a Commissioner with the Zanzibar Electoral Commission when a hand grenade was thrown into his bedroom, seriously injuring his eyes. He had to be flown to South Africa for treatment.

Causes of Political and Electoral Violence

- *Lack of faith in the National Electoral Commission:*
    1. The President of the United Republic of Tanzania appoints all the Commissioners of the National Electoral Commission (NEC) for a period of five years. As the President is also the chairman of the ruling party, the commissioners are viewed by the opposition as being partisan and partial to the ruling party. Interestingly,

---

[1] The registration of voters began on August 8, voting was on October 29 and there was a re-run for 16 constituencies in Zanzibar on November 5, 2000

there are instances when the government and ruling party accuse the NEC of being in league with the opposition political parties. This is despite the fact that the Constitution of the United Republic of Tanzania at Article 74(1) provides that in the exercise of its functions, the NEC is not obliged to heed the advice or take instructions from any person or government department or political party. Moreover, the individual commissioners are openly acknowledged in the country to be people of integrity and the Constitution requires that all commissioners do not belong to any political party, a ground on which they make an oath while pledging to work impartially.

2. The law requires that City, Municipal and District Directors are to be returning officers during elections. Tshese are all employees of the government which only intensifies suspicions of lack of impartiality. However, there are provisions for objecting to any of these officers conducting an election and the NEC is empowered to appoint any other person to be a returning officer instead. Indeed, in the last elections, some complaints against some of these officials were made and where it was felt that they were justified, remedial steps were taken.

3. Returning Officers in turn appoint registration assistants, presiding officers and polling assistants. Although the NEC has given instructions that political parties should be fully involved in these processes, there are still complaints and suspicions against some appointments, some justified. It is not unknown, for example, for presiding officers to hire their own unqualified kith and kin as a way of providing employment.

4. Human Error: There have been cases where properly qualified registration assistants make bona fide mistakes like issuing to voters their duplicate copies of registration certificates, rather than the originals. In such cases, proper remedial steps have been taken as was the case of the officials who caused the non-occurrence on October 28, 2000 of elections in 16 constituencies in Zanzibar.

- *Difficulty in securing an electoral petition*

After the 1995 general elections, there were 134 election petitions immediately instituted. 80 were withdrawn almost immediately and only 28 finally went to full hearing. Out of these only 10 results were nullified and by-elections ordered.

An amendment to the law now requires a petitioner to deposit five million shillings in the court as security for costs. This is viewed as denying the right to challenge election results, an outcome that can only serve to exacerbate electoral violence since it leads to a winner-by-hook-or-crook mentality. On the other hand, a significant number of petitioners pay their advocates at least this amount of money. Moreover, almost all those who have won election petitions have not recovered costs granted to them by the court; hence the need to provide security for costs.

- *Lack of awareness of the electoral process and legal provisions available by most political party leaders*

This is despite the fact that the NEC has worked hard to inform politicians on electoral provisions including meeting political parties on this issue and publishing leaflets like "Directives to Political Parties and Candidates."

- *Attitude of political party leaders*

Political party leaders have been predisposed towards political violence, as clearly evidenced by some of their statements. Some political parties used slogans such as *ngangari* which means, a fast and uncompromising stand and advocated for "an eye for an eye and a tooth for a tooth" policy. There were khangas (wrap-around skirts) with such words as *"Si Mkuki Si Bunduki CUF Hatubanduki"* meaning "Whether a Spear or A Gun CUF is Adamant. The ruling party also made some inflammatory statements as when one of its top officials reportedly told a rally that CCM youths had been instructed to retaliate with two blows for each blow from the opposition.

Some political parties also organized their youth wingers and gave them training for violent reactions. Religious places were reportedly used for political ends and as nuclei of disrupting peace.

- *Political repression, harassment and intimidation*

Political and electoral violence can sometimes be used as a tool for political repression, harassment and intimidation or in response to the same. There are various incidences that can be cited as evidence of political repression, harassment or intimidation in Tanzania. In nature, they fall into several categories including the arbitrary sacking of prominent opposition figures from public service jobs, the beating, shooting, maiming,

raping, torture and killing by the police of opposition activists, the arrest and prosecution on spurious charges of opposition activists, and the arbitrary refusal by the police to allow opposition meetings and campaign rallies to proceed unhindered.

A notable incidence in the 2000 general election was the cancellation in 16 constituencies in Zanzibar of election results unfavourable to the ruling party. Subsequently, the Zanzibar Electoral Commission announced results that gave the ruling party a 67% lead as against 33% for the opposition. Peaceful opposition protests of these actions were violently put down.

Steps taken against political and electoral violence

1. *Infusing credibility in conduct of elections by increasing watchdog role of political parties*
   Political parties or candidates are allowed to have their agents act as watchdogs at every stage of the electoral process. At registration, agents are allowed to be present and record the serial number of the last person to be registered every evening at the close of the registration exercise. Similarly, at every polling station, every candidate is allowed to have a polling agent and at the end of the day that individual becomes a counting agent. Results are recorded in forms signed by all the counting agents.

2. *Reducing opportunities for violence*
   It is not necessary for one who aspires to be nominated to present nomination forms in person. Any one of his or her nominators, that is one of twenty-five supporters, can do so. This is geared to prevent the hijacking of prospective candidates in order to prevent them from presenting their papers.

   There is also a legal requirement that every candidate in any constituency present their campaign schedule to the returning officer who then calls a meeting of all candidates in order to agree to a campaign schedule for the whole constituency. This ensures that not more than one candidate will be in the same locality at the same time during the campaigns.

3. *The Electoral Code of Conduct*

In 1995, the NEC prepared a draft code of conduct for political parties and presented it to a meeting of the leaders of all political parties. It was rejected without any discussion.

In 2000, the NEC re-introduced the code of conduct and this time, seven out of thirteen political parties agreed on a code of conduct. Two political parties (National League for Democracy – NLD and National Reconstruction Alliance – NRA) refused to sign because they wanted the government to provide subsidies to assist political parties to conduct campaigns. The Civic United Front (CUF) did not sign because some of its suggestions were not incorporated in the draft code of conduct by the NEC. The United Democratic Party (UDP) declined to sign because it did not agree on the prohibition of using local languages in campaigns. The Popular National Party (PONA) could not sign because it was split and could not agree on who was who in the party hierarchy. The sixth party that failed to sign was the Chama cha Demokrasia na Maendeleo (CHADEMA).

On the whole, however, all the complaints that were brought under the code of conduct were openly discussed, followed up with the representative of the party concerned, and satisfactory answers provided and misconduct remedied. The NEC gave warnings and appeals of general nature through newspapers and in some cases wrote specific reprimands to political parties violating peaceful electoral conduct.

4. *Use of the Police/Disciplined Forces*

The police force was critical in combating electoral violence by arresting its perpetrators and bringing them to book. At times the mere presence of the police helped pre-empt attempts of violence. The NEC accepted the advice of the police that in all polling stations in Dar es Salaam and some other identified towns, there would be at least two police officers. And in seven constituencies in Dar es Salaam, both the distribution and collection of election materials was done by the military.

Recommendations

1. Constitutional review to allow for free and fair elections, the respect of human rights and the institution of checks and balances against unfettered executive control of the means to coercion and justice

2. The improvement of image of the NEC in order to cultivate confidence in it and discourage the resort to violence. The suggestion has been made that representatives of political parties be incorporated but the experiences of the first Electoral Commission of Malawi and the National Elections Commission of Mozambique suggests that this is not a solution.

3. Strict enforcement and adherence to the Code of Conduct

4. Regular meetings between the NEC and political parties as well as between the political parties themselves in order to nurture mutual trust and confidence

5. More frequent use of the police such as during the conference of candidates with the presiding officer to determine the campaign schedule may offer more concrete suggestions on how to avert political and electoral violence

6. The international community should openly rebuke and ostracize leaders of political parties who preach violence.

Uganda

Background

The political history of post-independent Uganda can be divided into four major epochs: Obote 1 (1962-1971), the Idi Amin years (1971-9), Obote 2 (1980-5) and the Movement Era (1986 to date).

Milton Obote had ascended to the leadership of Uganda in 1962 following a win by his Uganda Peoples Congress (UPC) in the April 1962 elections. The next elections should have been held in 1967 but they were canceled following the 1966 constitutional crisis that saw Obote attack the palace of the Kabaka (king) of Buganda. The next elections would be held in 1980, 18 years after the previous ones, after the forcible ouster of President Idi Amin by military intervention.

It is clear that the 1980 elections were massively rigged to favour Obote. These elections witnessed electoral violence and intimidation with numerous incidences of arm twisting and kidnap. This electoral malfeasance only served to spark further armed struggle, the highest form of political violence, by several groups. Indeed, it was one of these groups, the National Resistance Movement (NRM) that in 1986 would ultimately succeed in toppling the military leadership that overthrew Obote in 1985. The NRM, headed by President Yoweri Kaguta Museveni is still in power.

Nature and highlighted incidences of political and electoral violence

Various means have been used to perpetrate electoral and political violence in Uganda in the March 12, 2001 Presidential Election. These included torture, extra judicial executions, arbitrary detention, abduction and kidnapping, arrest without warrants, beatings, personal humiliation by stripping to nakedness, killings, shootings, death threats, threats of beatings (using phrases such as "you will see us," "we are bad," and "we shall burn you"), chasing away of voters from polling stations on the pretext that they were non-Ugandans or under-age, and malicious damage to property.

Causes of political and electoral violence

1. Political Repression: It is clear that the majority of cases of political violence pointed to the use of the military in Uganda in the intimidation and harassment of opposition activists.
2. Greed: Some politicians who wish to hang on to power irrespective of the opinion of the electorate and use political violence as the tool to do this
3. Late enactment of electoral laws: This was particularly evident in the case of the Presidential Elections Act, 2000 which was enacted on December 12, 2001 leaving the Electoral Commission with only 2 months within which to organize the elections. Hence, some candidates held illegal campaign meetings which later became violent.
4. Under-funding of the electoral process left critical players in elections, such as the police, unable to satisfactorily fulfill their fundamental mandate. Hence, security during the election period was not adequately catered for.
5. Illiteracy and poverty are reasons that can be used to influence the electorate towards violence
6. Incitement: Opposition political leaders encouraged the public to engage in acts of hooliganism and public riots. A member of parliament called upon the electorate to kill non-Ugandans.

Steps taken against political and electoral violence

1. There have been constitutional and electoral reforms aimed at ensuring that elections in Uganda are held in a free and fair manner, including the establishment of an independent electoral commission to oversee the conduct of regular free and fair elections.

2. The government introduced elections by secret ballot using one ballot box for all contesting candidates. This greatly reduced suspicion that some ballot boxes would be tampered with in order to affect the results of certain candidates.

3. The movement system has reduced ethnic, sectarian and religious divisions which previously were a source of political tension and violence.

Recommendations

1. The government should manifest the political will to conduct free and fair elections by providing the necessary financial and technical assistance to carry out elections in appropriate time

2. The harmonization and reforms of electoral laws and procedures to ensure regular, free and fair elections should be made a matter of priority in order to provide the enabling environment for open and democratic elections and avoid unnecessary suspicions, tensions, contradictions, and confusion

3. Parliament should consult as widely as possible while formulating electoral laws and reforms

4. The role of security agencies in the electoral process should be clearly spelt out in relevant legislation

5. The electoral commission should develop and implement continuous voter education using all forms of information dissemination media

6. The electoral commission should continuously update and maintain the voters' register as stipulated in the law

7. The electoral commission should collaborate with the Population Secretariat and National Bureau of Statistics in updating the voters' register

8. The electoral commission should build the capacity of election officials in order to organize elections more efficiently

9. In order to maintain its own independence, the electoral commission should appoint its own returning officers instead of using government officials

10. The electoral commission should use transparent ballot boxes and the number of ballot boxes supplied should always tally with the number of polling stations in order to eliminate irregular voting

11. The electoral commission should establish a proper system for the storage, distribution and accounting for its materials at all levels

12. The media should not be impeded in its role as a platform to publicly discuss political and governance issues

13. State-owned media should be required to give equal coverage and balanced reporting to all candidates

14. Journalists should adhere to their professional code of conduct

Kenya

Background

Kenya attained independence on December 12, 1963 with the Kenya African National Union (KANU) forming the first post-independence government following its comprehensive electoral victory over its rival political parties. The first political project of KANU under the late Mzee Jomo Kenyatta was the political consolidation of power around Kenyatta and a cabal of his political and personal cronies.

This resulted, firstly, in the voluntary dissolution of KANU's main rival, the Kenya African Democratic Union (KADU) in 1964 and the shifting of virtually all constitutional powers in the presidency, which Kenyatta assumed. By 1969, Kenya had a new constitution that had completely erased the political checks and balances that the independence constitution had erected following protracted deliberations among Kenya's major political actors at Lancaster House in London in 1960 and 1962.

And it is within this context that elections in Kenya should be viewed. Elections in Kenya have been held regularly (generally within 5 year periods) but have been a fundamental weapon for those in KANU to continue consolidating power around themselves. For long periods, Kenya has been both a *de facto* and *de jure* single party state. Within this paradigm, political competition was frowned upon and discouraged, with elections geared only towards formalizing the arbitrary choices made by those in power within KANU. Despite this, there were incidences of political and electoral violence as candidates sought to politically out-do each other.

The end of the cold war and collapse of communism in the late 1980s and early 1990s ushered in a new political era in Kenya, where multi-partyism was re-introduced and political competition reignited. With it, the incidences of political violence also increased exponentially.

Nature of political and electoral violence

Political and electoral violence has manifested itself in various forms including assassinations, attempted assassinations, confinement, battery, threats of violence, torture, arson, looting, rape, sexual harassment, hate speeches, hijacking, defamation/insults, political thuggery, destruction and damage of property, economic repression/sabotage, eviction/displacement, closure of party/campaign offices or premises and the violent or physical disruption of public meetings and campaign rallies.

Causes of political and electoral violence

1. Reluctance to accept legitimate political competition or pluralism: This has led to political parties, notably KANU, zoning some areas and claiming sole and exclusive right to operate and campaign there
2. Ethnic balkanization through political manipulation such as the arbitrary creation of districts and constituencies
3. The use of political power to disenfranchise opponents: This is popularly known as *siasa za kumalizana*
4. The breakdown of conflict management mechanisms within the executive, legislature and judiciary leading to a sharpening of incidences of political and electoral violence
5. The dramatic increase of poverty leading to a class of economically disenfranchised people (especially the youth) who can be used to perpetrate political and electoral violence
6. Selective use of the law
7. Lack of independence of the Electoral Commission of Kenya
8. Incitement

Steps taken against political and electoral violence

1. Constitutional review to resuscitate the broken down conflict management systems and provide for better sharing of power within the three arms of government and secure the independence of the electoral commission

2. The enforcement of the electoral code of conduct
3. Constant use of lobbying to combat impunity in Kenya

Recommendations

1. There is a need to cultivate a culture of constant dialogue and coordination among the key players in the electoral and political fields so that the existing gap of suspicion between them is bridged
2. Politicians should refrain from issuing irresponsible and inflammatory statements
3. Careful studies and analysis should be done to establish what makes an electoral commission truly independent
4. Civic education should be conducted as widely as possible in order to create greater civic responsibility within the electorate who will reject political and electoral violence
5. There is a need to create respect for political, social and cultural institutions
6. The public naming-and-shaming of those who fund, perpetrate and perpetuate violence should be enhanced
7. A comprehensive study and research into political and electoral violence should be conducted so that their nature, magnitude and proper intervention methods are established
8. Poverty alleviation should be carried out in order to shut down the merchants of violence
9. Those who are hired to perpetrate violence should be encouraged to volunteer evidence that will lead to the arrest or disqualification of the funders of violence
10. The media should be encouraged to continue exposing violence and those involved
11. The ECK should be given powers and resources to investigate and prosecute electoral and political violence
12. Groups hired to unleash violence should be identified and alternative means of income generation sought for them
13. The ECK should assiduously enforce the code of conduct
14. Culture of impunity should be combated

Appendix 1: List of presentations made at the conference

1. Lipumba, Ibrahim Haruna
    "State Sponsored Violence Against the Civic United Front in Tanzania: A Personal Viewpoint"
2. Mwagiru, Makumi
    "Political and Election Violence in Kenya"
3. Nkurukenda, Flora K.
    "Political and Electoral Violence in Uganda"
4. Oketha, Okecha Bazil
    "Witness Account on Electoral Violence in the Uganda March 2001 Presidential Election"
5. Ramadhani, Augustino S.L.
    "Electoral, Political Violence: Experience of the United Republic of Tanzania

Notes

Notes