

**Treating the Symptoms of Commitment Issues:
Analyzing institutions as a prescription – A case study
of Kenya**

By

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Abstract

Following presidential elections held in 2007, the nation of Kenya was plagued with conflicts stemming from election violence. Soon after, dialogue began to discuss and analyze just what was contributing to this instability, which to many had seemingly sprang up without any warning. Many argued that Kenya was a good model of governance and stability for many years. Within the following thesis, I argue that there were much more embedded factors contributing to democratic instability within the nation of Kenya. Rather than blaming one specific cause such as ethnic politics or neopatrimonial relationships contributing to grievance or greed-based claims, I focus specifically on a series of factors within the larger issue of commitment issues. I note that these previous factors further erode the ability of those in power to credibly commit to protecting out-groups and upholding institutions, thus commitment problems abound. I further note that evidence indicates it is institutions themselves which help correct for these commitment problems. I thus decided to study specifically the new 2010 Constitution of Kenya as an institution to determine if it helped abate some commitment issues. I made use of two Afrobarometer surveys on perceptions of democracy and stability within the nation. Evidence indicates that the Constitution did indeed help reduce commitment problems and thus correlating conditions and symptoms such as ethnic politics and neopatrimonialism. I also note that the Constitution has increased accountability. Ultimately, if the citizens of Kenya believe in the power of the Constitution, it will become self-enforcing and hold those in power in check by making them accountable to both the citizens of Kenya and the Constitution itself. Time itself will tell if this Constitution has assisted by actually curbing violence and claims of ethnic politics, but as this thesis indicates, all signs are positive thus far.

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Introduction

On December 27, 2007, the popular tourist destination Kenya, perceived by many as a beacon of hope in Africa for democratization¹, held popular elections for presidency. By the end of February, more than 1,300 people had been killed, around 500,000 displaced, and the country was mired in turmoil during post-election violence². In the months following, political scientists, heads of states, and humanitarians alike were attempting to uncover just what caused this violence. For the casual observer, conflict seemingly erupted without warning; Kenya possesses many “democratic” institutions, some of which resemble those seen in the United States or European Union. However, many argue there existed precursors to the violence embedded in the political system of Kenya itself, and that Kenya was, in fact, not democratically stable despite the appearance of democratic institutions.

Main Causes?

While many contend there were precursors leading to the outbreak of violence, there remains a broad range of possible explanations categorizing these causes. These include 1) history of the political structure and executive dominance having a negative effect on stability. Years of corruption and asymmetrical power, when often the executive branch of the government has more power and checks than the other branches, seem to have a marginalizing effect on the minority groups. 2) The notion of ethnicity and tribal politics as a root cause. Violence did, after all, seem to be concentrated

¹ Afrobarometer, *Neither Consolidating Nor Fully Democratic: The Evolution of African Political Regimes, 1999-2008*, fig. 12.

² Kagwanja, “Courting Genocide.”

amongst the members of the presidential candidates “tribes”. Tangible attempts have been made in the past to rectify both ethnic tension and leadership accountability; however, these ultimately fail within political context. Ethnic tribes continue to shift between coalition parties, while sporadic violence ensues. Related to, but often discussed apart from this cause is that of 3) weak institutions and constitutional manipulation. Constitutional laws and other decrees tend to be quickly manipulated by the party in power to maintain the hold, especially within the executive branch. While there has indeed been a new constitution created since the violence took place, it is important to discover the main causes of political instability in Kenya in order to ensure that the previous history of constitutional failure and conflict is not repeated yet again. With a clear understanding of the causes of instability in a state with a history of ever-changing institutions, new democratic institutions will be able to be better protected from internal and exogenous factors which seemingly weaken and degrade the Kenyan state; additionally, these institutions will be better able to serve the state to protect itself from these factors. While an abundance of literature exists which borrow from and lend to each of the main discussed causes, very little analysis exists which hold in regard the other causes of this indication of instability in order to define an interrelated system. In fact, the notion that aspects and traits of these causal explanations are often combined, both in analysis and practice, indicates that there may be a relationship between all three.

Within the following thesis, I will attempt to provide evidence and support to a claim on the relationship the three previously stated main causes, which I will now identify as factors, have on instability and decreased democracy in Kenya. *I argue that the history of Independent Kenya’s state formation, including personalization of power, a*

one-party system, and neopatrimonial relationships contributed to a weak governance structure which could be easily manipulated by elites in power, and thus this structure was manipulated. Fearing the power-grabbing of those initially in power, out-groups formed their own coalitions to protect themselves, which due to the nature of the system, coalesced around ethnic identities within labile parties of unions. This mobilization triggered yet another response by the party-in-power and elites, who took advantage of their power by further manipulating institutions to their advantage. The degradation and ambivalence of these institutions in turn leads to an unstable Kenyan government, one not conducive to democracy. To consolidate this relationship: the historical context of state creation and formation marginalized out-groups along ethnic lines and forced them into large, makeshift parties of necessity due to commitment issues stemming from institutional weakness. For fear of losing power to these shifting and unpredictable parties, the regime in power ensures its survival through manipulation of democratic institutions. This turbulence within the democratic system is cyclical in nature, as the relationship began with institutional manipulation and concludes with the same practice. Overall, the cause of instability in the scenario I argue is commitment problems which arise from either a lack or manipulation of democratic institutions. Thus, I will also argue that the treatment for such a case as Kenya would indeed be stronger democratic institutions which are resistant to elite manipulation.

As a point of reference, returning to the post-election violence of 2008 provides insight into immediate factors contributing to conflict. Following the events, ethnic and tribal tensions were attributed by both Kenyan and foreign analysts as long-term

problems³ which were embedded within the medium of the 2007 presidential elections as a precipitating cause⁴. Kenya is no stranger to inter-conflict and ethnic tensions, which have been blamed for various conflicts and shortcomings within the nation since independence⁵. Also, Kenya has a history of being a heterogeneous society. This includes factors such as religion and ethnicity. Regarding religion, estimates hover around the nation represented by about 75% Christians, 10% Muslims and 10% of people holding Indigenous beliefs⁶, with an additional relevant population of atheists or those without religious beliefs. Ethnically, the nation is made up of more than 40 ethnic groups or “tribes” internally as well as maintaining a large base of foreign expatriates, migrants from East Africa, and Somali refugees. No one ethnic group in Kenya comprises more than 15% of the population⁷. Just as tribalism has become a scapegoat for various policies implemented, so too have democratic institutions themselves. Jomo Kenyatta, Kenya’s first president following independence, is perceived to have “personalized” his power in order to undermine his political opponents⁸. He began to host local political and business leaders behind closed doors on his own property to conduct personal matters. Many modern critics find fault in the executive-dominated role Kenyan politics took on beginning with the personalization of power. These same critics find similar situations today, in fact many of them exacerbated. If these critics find factors such as tribalism and personalized politics as inherent to Kenyan politics since independence, why was the

³ Holmquist and Githinji, “Default Politics of Ethnicity in Kenya, The.”

⁴ Kagwanja, “Courting Genocide.”

⁵ Branch, Cheeseman, and Gardner, *Our Turn to Eat*.

⁶ “Kenya (CIA World Factbook).”

⁷ Kenya National Bureau of Statistics, “Population by Ethnic Affiliation.”

⁸ Branch, *Kenya*, 72.

nation perceived relatively stable until more recently? What caused this sudden shift in the perception of Kenya's democracy?

My research analyzes the history of the state's formation following independence and the factors contributing to the conditions of governance. I will also analyze why Kenya was perceived to be so stable during that period, even though in retrospect the state appears to have been in flux. As commitment problems and institutions are the main focal point of my analysis, my mediums of quantitative analysis were perceptions of stability and democracy and implementation of the new 2010 Constitution of Kenya as an institution, both of these were provided for by Afrobarometer surveys. Thus, research focuses around the question of: What effect has the Constitution as an institution had on stability within Kenya? Ultimately, in regards to commitment problems as contributing to instability throughout independent Kenya's history, I hypothesized that:

The 2010 Constitution, as an institution, has increased perceptions of democracy and stability by abating issues of commitment problems in Kenya. Thus, conditions such as ethnic politics and neopatrimonialism have also decreased coinciding with this strong institution.

My focus on the constitution serves as a substitute for institutions as a whole as a treatment of commitment problems. Thus, on a larger scale, I hope to prove that strong institutions can serve as a treatment for commitment problems in the field of political science. Likewise, my research also inevitably tests the actual strength of the constitution as well, and its likelihood for success in the future.

Historical Context

Neopatrimonialism practiced by ruling elites is often discussed as the genesis of commitment problems in Kenyan politics⁹. Irrespective of all of the differing opinions as to the prime factors leading to Kenyan political instability is the clear evidence that all of Kenya's leaders since independence have manipulated or politicized ethnicity in a way which strengthens their base and weakens their opponents¹⁰. These include consolidation of parties along ethnic lines and personalization of power which favors members of a leader's own tribe. Furthermore, these classifications of in and out groups are labile, and can shift drastically due to circumstances. Githinji and Holmquist put it best when they state of Kenyan politics: "Friends are not permanent, but rather for use in the interest of controlling the highly centralized executive authority"¹¹. A constantly shifting regime, in any circumstance, would seemingly have a negative effect on political stability, thus would also seemingly have a negative impact on democratic processes, public opinion, and society. This is further supported by Juan Linz, who notes that the rigidity of a presidential system especially can lead to sudden regime changes rather than gradual ones, creating a short period of quick changes and turmoil¹². This explanation provides some insight into the situation in Kenya, but must be further applied and tested within a much larger relationship.

Relating back to Githinji and Holmquist's statement, the first indication of this manipulation of parties and strategic restructuring of political order (the "friends" of the

⁹ Branch, Cheeseman, and Gardner, *Our Turn to Eat*.

¹⁰ Mutua, *Kenya's Quest For Democracy*, chap. The Reconstruction of the African State.

¹¹ Holmquist and Githinji, "Default Politics of Ethnicity in Kenya, The," 102.

¹² Linz, "The Perils of Presidentialism."

political system at the time) can indeed be noted during the onset of Kenyatta's presidency. During the transition to an independent state, the former colonial possessor, Great Britain, instituted a constitutional order based on a quasi-federal structure but consisting of safeguards for white settlers and British potential for spheres of interest. It did, however, contain institutions which are today conceived to run parallel to democracy. These included a multiparty system, bicameral legislature, and an aspect similar to a bill of rights. It also decentralized power away from the center, though the office of governor-general was still influential and exercised power for the Queen¹³. In hindsight, this constitution (referred to as the Lancaster Constitution) failed to properly safeguard these institutions themselves from manipulation by elites in executive positions, which became evident almost immediately.

The Kenya African National Union (KANU) was formed in 1960 and consisted mostly of people from Kikuyu, Luo, and Kamba tribes. The union was based not on innate "ethnicity" but rather a shared history. Pre-independence history had a strong impact on party formation, rather than contemporary issues. The colonial legacy was an abhorrent memory for the majority of Kenyans. Atrocities ranged from simple de facto alienation imposed by the British crown to forced labor in detestable working conditions. These policies culminated in 1952 in the outbreak of the Mau Mau Rebellion, in which members from Kikuyu, Kamba and several other tribes organized under the Kenya Land and Freedom Army (KLFA) and began attacking colonists and their possessions¹⁴. British policies such as military action and concentration camps further consolidated the Mau Maus as a larger bloc, and thus a common history was forged into one of Kenya's

¹³ Mutua, *Kenya's Quest For Democracy*, 59–60.

¹⁴ *Ibid.*, 55.

first political unions. KANU was an extension of the Mau Mau conglomerate, whose influence expedited independence to Kenya.

KANU quickly found success in gaining political support, and grew to encompass an immense body. In response, ethnic tribes who felt excluded (namely the Kalenjin and Luhya) formed the Kenya African Democratic Union (KADU) to counter the perceived radical KANU, and these tribes had the common history of generally opposing the Mau Mau Rebellion¹⁵. Soon after, elections were held and Kenyatta came out the victor. He soon began a policy of personal politics in which he made promises of appointments in return for support. KADU leaders, aiming for their own share of power, were soon absorbed into KANU and Kenya then became a de facto one-party state. Kenyatta soon consolidated his power through constitutional amendments and banned several opposition parties¹⁶. In just a few years, Kenya degraded from a fledgling federal democracy into a one-party centralized state. Additionally, ethnic politics seem to have contributed less to this context than historical situations and weakness within the original Lancaster Constitution.

During the reign of Kenyatta, politics transformed from encompassing the entire voting population of Kenya to merely representing those who supported him, especially the president's own ethnic Kikuyu. Kenyatta maintained his personalization of power, in which he became essentially a national "big man," controlling almost all aspects of the state through personal appointments and deals rather than natural democratic processes. Mzee Kenyatta, an endearing Swahili term he came to be called, began manipulating

¹⁵ Branch, Cheeseman, and Gardner, *Our Turn to Eat*, 25.

¹⁶ Branch and Cheeseman, "Democratization, Sequencing, and State Failure in Africa," 6.

ethnicity as a means to determine his appointments and resource divisions¹⁷. Oddly enough, Kenyatta ran on a Pan-Africanist, nationalist agenda in which he spoke out against regionalism. His eventual successor, Daniel arap Moi, actually initially supported this regionalism, coined “majimboism.” Nevertheless, Kenyatta’s increasing personalization of power biased towards his own ethnic Kikuyu caused dissent, even amongst the ethnic Luos who helped found KANU¹⁸. Luo members of KANU eventually abandoned the party due to these ideological differences; because of the way the system was set up as a one party state, they too became a marginalized out-group¹⁹. This policy of appointments and handouts in order to maintain political support came to dominate the structure of Kenya’s government for the next 30 years. In addition, it effectively began marginalizing the out-group of appointments and benefits, who were already alienated by the one-party state, on the basis of ethnicity and tribalism. These out-groups could do little but protest in secret due to the utter state control executed by KANU. During this period, on the surface Kenya remains in the perception of the world a stable entity.

Moi’s presidency revolved around personalization of power as well. In fact, he rose to power due to his integration into KANU with Kenyatta’s request. Following Kenyatta’s death in 1979, he was able to gain support of Kenyatta opponents by freeing political prisoners while simultaneously appointing his own supporters to positions of power (not coincidentally mainly ethnic Kalenjin like himself)²⁰. The marginalization of out-groups under Kenyatta’s regime was the tool Moi manipulated to ascend to and maintain power. Rather than eradicating this status quo, he merely reversed it.

¹⁷ Mutua, *Kenya’s Quest For Democracy*.

¹⁸ Lynch, *I Say to You*.

¹⁹ Branch and Cheeseman, “Democratization, Sequencing, and State Failure in Africa.”

²⁰ Mutua, *Kenya’s Quest For Democracy*.

Democratic institutions continued to degrade over his tenure in office as he maintained a personal, patrimonial relationship. His clients became those who would support him in office or those powerful enough to keep him there. He could successfully quell dissent by essentially paying off opponents through appointments rather than remaining accountable to them.

While some claim Moi's regime to have been relatively stable under his instituted one-party state, it is important to note that there was a coup attempt in 1982 and a growing amount of dissent from civil society, which he increasingly controlled and manipulated to his advantage. A slowing economy stemming from rising oil prices, drought, and global decline in tea and coffee prices, combining with cuts to public spending led to massive protests, especially from college students, in the early 1980s²¹. Opposition (voiced from within KANU) was strongest from Oginga Odinga, an early founding member of KANU. He stated in the early 1980s that a stagnant economy was caused by "...corruption, misuse of our foreign exchange, importation of luxury goods, poor planning, over-dependence on and misuse of foreign aid and lack of a comprehensive policy on energy²²". Shortly after his remarks, in a move reminiscent of a Soviet-style purge, Odinga was forcibly removed from KANU; a parliamentary motion creating a one-party state officially by law was passed soon after, seconded by current president Mwai Kibaki. Following in eerily similar Soviet fashion, influential and top-level dissenters of KANU were purged from the party and dozens imprisoned. Mysterious executions also took place²³.

²¹ Branch, *Kenya*, 140–144.

²² *Ibid.*, 151.

²³ Branch, *Kenya*.

In 1982, a group of officers from the Kenyan Air Force staged a failed coup attempt. Over a radio broadcast, they stated the reasons included tribal politics, personalization of power, and corruption²⁴. If one is to view the KAF's statement as their true opinion, then this situation seems to note that marginalization along ethnic lines and manipulation of democratic institutions played a direct role in that specific period of instability. Though short lived, the grievances caused by the Moi regime were enough to mobilize opposition into action, and destabilize the regime.

Following the thwarted coup, Moi's regime, fearing the capabilities of the opposition to attain power, increasingly resorted to oppression and manipulation of patron-client relationships in order to maintain a monopoly of power. As he lacked the resources of Kenyatta (as the Kikuyu had more financial assets than Moi's Kalenjin in-group), Moi shifted towards coercion rather than incentives for maintaining support and power. This plan eventually backfired as it further alienated the out-groups, culminating with a supported multi-party election in 1992²⁵. During the elections, opposition parties split further along ethnic lines, and Moi's KANU maintained its hold on power, though ethnic violence became rampant, especially during elections. The situation remained the same until 2002 when Moi chose to not run and Mwai Kibaki won a free and fair election²⁶.

Argument and Hypothesis

Though Kenya has successfully transformed into a multi-party state, this occurrence has also witnessed a positive correlation between instability and ethnic

²⁴ Ibid., 155.

²⁵ De Smedt, "'No Raila, No Peace!' Big Man Politics and Election Violence at the Kibera Grassroots," 584.

²⁶ Rutten and Owuor, "Weapons of Mass Destruction," 314.

violence, especially during elections. While many would contend that the aforementioned factors of 1) ethnic politics, 2) historical state formation and 3) weakened and manipulated institutions all play a role in the inherent instability within the Kenyan system, it is important to understand the structure of just how each is related to instability within the system. Without this knowledge, one cannot properly gauge treatment for Kenya's political society. If factor A causes an effect on C, it would mean little to treat for B. Similarly, if factor A influences factor B, treating factor B does not eliminate the source, merely delays its effect. This age-old analogy can be applied to Kenya's historical policies and regimes. Are each of these factors causal? Or can they merely be symptoms of a system with weak institutions?

Thus, I will explore precipitating and long-term factors of instability and violence in Kenya, paying close attention to tribal divisions, democratic institutions, and historical decisions and legacies. Again, various opinions and theories exist as to potential causes of instability, including tribalism itself, corruption and manipulation of institutions, and the history of the one-party state. These theories are often self-contained, however, and tend to ignore or neglect cohabitation with other theories and factors. Essentially, many of these analyses discredit other studied causes as contributing to democratic instability within Kenya. Though all of these analyses tend to borrow and even validate findings of opposing causes, overall they seek to find a relationship between *one* unilateral cause of instability. Throughout the analyses, this tends to lead to contradictory relationships and inconclusive evidence, further complicating studies. I believe that neglecting to view the factors contributing to instability within Kenya as interrelated can mask or ignore an underlying factor which could potentially explain the relationship as a whole. Rather

than attempting to discover one specific cause, the purpose of my research and analysis will look into relationships of these factors to one another, in an attempt to identify a much larger, more dominant factor which may influence all of these relationships in the same way. With a more direct and complete identification of causes, politicians and scholars alike will better be able to rectify the situation and help potentially end decades of conflict and turmoil.

The history of governance in Kenya is based around personal and patrimonial relationships, ethnic fractionalization, and manipulation of whatever institutions are present. Additionally, marginalization and alienation seem to play a key role in how opposition forms along with shared and past histories. In this sense, the marginalized Luo during Kenyatta's reign are not unlike the marginalized Kikuyu under colonial rule. Both groups were forced out of the political realm through institutions, and both groups mobilized their respective oppositions along the common bond of perceived ethnicity, or tribes. While ethnicity appears to be a line along which marginalized people unite, are there underlying reasons for this polarization and more complex relationships? Is ethnicity an "A" that causes "C", a "B" that causes "C" through "A", or could it simply be another output of institutional manipulation? What role, then, do common history and political manipulation play in the equation?

The real question relies in how this relationship manifests itself. Is it linear in nature, where A causes B which causes C and thus D? Or rather, could there be covariance between all the factors? A, B, and C may all have an effect on one another, which magnifies the effect on D (in this case, political stability in Kenya). It is possible that previous research and analysis on the topic has perilously committed omitted

variable biases, a common fallacy in empirical political science research in which certain factors are missing from the explanation, over or under-exaggerating the effects on the output variable (stability). For this reason, studies of the transient nature and sporadic violence within it are seemingly incomplete. Thus, this is a possibility as to why common understanding of violence, ethnicity, democracy, and instability in Kenya is also incomplete. If ethnic politics is a main cause of the turbulent nature of Kenya, what factors contribute to this? Do these factors also exert their own, separate, effect on instability? Reverse causality is also a pitfall in analysis of these factors. While it is safe to say that common histories are not influenced by a subsequent overall turbulent state, it cannot be simply assumed that a tumultuous Kenya does not exert an effect on ethnic fragmentation or diffusion of personal politics. These causal hurdles for maintaining a balanced political study have tended to be ignored in analysis of the situation of the Republic of Kenya. The various literatures on these thematic causes will, however, provide insight and offer an ability to focus the relationships based on these causal themes. Various scholar analyses on the subject also help to solidify these causes as endemic and problematic. In the following analysis, I make use of these scholars to help narrate a situation in which neopatrimonialism, ethnic politics, and institutional manipulation are not causes of the weak democratic stability in Kenya, but rather they are conditions which further exacerbate the scenario. These conditions are direct results from the symbiotic relationship of commitment problems and weak institutions.

Methodology and Outline of the Research

The elections of Kenya and related violence provide a series of cases to study observed effects in an attempt to support my hypothesis. I made use of datasets directly preceding these elections, including variables for ethnic fragmentation, institutional manipulation such as personalization of power, and the condition of democratic institutions, running a multiple regression with the outcome variable of “stability”. I also analyzed similar datasets related to the period following the implementation of the new 2010 Constitution. In addition, the following research combines common theories and opinions on causes of political instability in Kenya to fit into my model. This proceeding piece presents a literature review of the various potential arguments for political instability, which allows me to focus on each of the studied causes and attempt to relate them on a much larger scale related to commitment problems and weak institutions.

Elections for Kenya, including presidential elections were initially scheduled for 2012 and were postponed until March 4, 2013 after much debate, perhaps correlating to the fears and anxiety of not only the citizens but policy makers as well. Following the recent creation of the new constitution in 2011, a large weight rests on the shoulders of those in power following these elections. Will the new regime continue historical practices such as personalization of power and neopatrimonial relationships? If so, will ethnic fragmentation become visible and manifest itself in the form of violence? Ultimately, these elections will allow others to study my hypothesis for themselves to note how it relates to my model of factors of instability in a context that focuses on commitment problems and weakened institutions. The paper thus concludes with the

prospects for these elections based off of the current situation within the state and its resemblance to my model.

Theory and Hypothesis

Literature upon the subject of Kenyan democracy and instability has become increasingly available, especially with initiation of multi-party elections in 1992 and the more recent post-election violence. An overwhelming majority of this literature focuses on historical legacies and creation of the Republic of Kenya, neopatrimonialism, and ethnic politics. These works claim these topics to be the causes of instability and ethnic violence in Kenya, respectively. Each thematic area is heavily focused on the policy decisions of post-independent Kenya, although notions of colonial legacies are apparent within each argument. I will review current literature regarding these three thematic areas, noting commonalities and differences between them. My aims in analyzing the literature are not only to focus on certain arguments the authors make, but also to what their arguments do not address as compared to other works. It is here where I intend to gain further insight into how these studied causes of instability within Kenya do and do not relate to one another, and factor in the broader issues of commitment issues and institutional weakness.

State Formation and the case of the Lancaster Constitution

The formation of independent states in Africa is often studied and regarded as an unstable and violent affair in many instances. Oftentimes, there existed both weak institutions and commitment issues which presented themselves during the period. Juan Linz first notes this scenario in regards to how in an emerging democracy, especially one

with a presidential system, institutions can be manipulated to erode away democratic institutions²⁷. Kenya followed this path following independence. A group of literature exists that relates the historical context of the period just before and shortly after independence as creating a state which was inherently unstable. I will thus analyze this literature in an attempt to find a relationship between this historical narrative to neopatrimonialism and instability as a whole.

While the movement for Kenyan independence cannot be clearly pinpointed, it essentially began immediately with the onset of colonialism²⁸. Literature regarding the historical context of the creation of the Kenyan state makes note of this and also the fact that it took both British concessions along with Kenyan protests and rebellions to ultimately herald in this new republic²⁹. Most of the literature begins by analyzing the Mau Mau rebellion, a historically complex struggle in which a Kikuyu-led force rebelled and fought against British colonists and Kenyan loyalists (many of whom were Kikuyu as well)³⁰.

Marshall Clough notes marginalized Kenyans, deprived of access to politics, taxed essentially without representation, and constantly in fear of losing the land which had been possessed through kinship laws for generations, needed an outlet for which to mobilize. Leaders of the marginalized people, especially the Kikuyu who were geographically affected more by British land acquisition, realized the need to solidify the bond of the resistance movement in order to have any chance of overcoming the

²⁷ Linz, "The Perils of Presidentialism."

²⁸ Kariuki, *The Illusion of Power*.

²⁹ Clough, *Mau Mau Memoirs*; Branch, "The Enemy Within"; Throup and Hornsby, *Multi-party Politics in Kenya*.

³⁰ Clough, *Mau Mau Memoirs*.

British colonial administration³¹. Ultimately, however, the Mau Mau movement failed to gain the widespread committed following it would need to secure victory against the British³². Makau Mutua notes that the loyalists remained an elite class, thus they had little incentive to support the Mau Mau movement. They had attained their wealth through mutual relationships with the British, thus would not only remain loyal to maintain wealth, but also for fear of what the Mau Maus would do if in power³³. Here, the notion of commitment problems again arises, as one party is unsure of another's future intentions, thus has incentive to protect the status quo. The majority Kikuyus and other Mau Mau supporters could not credibly commit to maintaining a relationship with the loyalists if they gained power, thus the loyalists indeed had an incentive to support British counter-insurgency and even fight alongside it.

Interestingly enough, the land grabbing that had alienated so many Kikuyu and other Kenyan agriculturalists had also empowered a very small group. Farmers who lived near Nairobi, the Highlands, and other areas with high concentrations of colonists, benefitted from increased sales, trades, and patron-client relationships with colonists. Many of these happened to be Kikuyu. It is important to note here that these economically advantaged people began to be favored by the British colonists, and were given preferential treatment. They gained access to higher education, were allowed more independence, and given favorable prices for their land and crops. They gained a stereotype reputation across Kenya as a "progressive" people³⁴. The same situations that led to grievance-based reasons for resistance of the Mau Mau rebels also led to the

³¹ Ibid.

³² Ibid.

³³ Mutua, *Kenya's Quest For Democracy*, 56–57.

³⁴ Clough, *Mau Mau Memoirs*, 27.

ascension of certain elites, which would become a long-lasting legacy of colonialism that is still present today.

This division, especially among the Kikuyus, who led the Rebellion, would ultimately contribute largely to the military defeat of the Rebellion. However, as noted earlier, the movement was more concerned with political goals than military aims. After the costs the colonialists incurred, Britain realized that maintaining Kenya as a white settler colony was politically, socially, and militarily impossible³⁵. The uprising was all but quelled by 1960, with the Mau Mau too devastated to fight on. However, British administrators began drafting plans to create an independent Kenya with the Lancaster constitutional talks³⁶.

Throup and Hornsby explain that the Mau Mau Rebellion led to a premature independence for Kenya, which was still reeling from internal turmoil between Kikuyu nationalists and loyalists. They further note:

“The colonial government was far from happy about being forced into a ‘premature’ transfer of sovereignty but was able to influence the form it would take, ensuring that power would be handed over at independence to an African elite favouring the world view that the British felt appropriate”³⁷.

Kenya’s new leaders were destined to inherit a state that was unnatural and created for the sole purpose to benefit a European state intent on extracting resources for wealth, a form of neopatrimonialism. The infrastructure of Kenya would not permit the capital means to coalesce the state, so power and accountability had to be maintained through other means. Modern political consensus states that state legitimacy in these cases can be created through creating an identity by mobilizing against an out-group

³⁵ Kariuki, *The Illusion of Power*, 12.

³⁶ Mutua, *Kenya’s Quest For Democracy*, chap. The Constitutional History of Kenya.

³⁷ Throup and Hornsby, *Multi-party Politics in Kenya*, 7.

(such as colonists) or against an internal group so as to legitimize rule and create a sense of siege³⁸. Because of the premature independence granted to Kenya by Britain, the state was faced with creating a constitution and having elections during a chaotic and tumultuous time.

Kenya's first Constitution (1963) itself was inherently weak. The institution was decided upon by a series of meetings known as the Lancaster House Conferences³⁹. The conferences themselves were a muck of differing opinions from both KANU, who proposed a more centralized government, and KADU who desired a form of regional federalism coined "Majimboism"⁴⁰. Maxon himself notes that this Majimboism led to angst within the KANU-led government, following elections, which feared the prospects of having no authority or public image in Kenya's regions. He also notes how, regardless, KANU was determined to exert its authority at all costs⁴¹. Regional powers manifested within the first few drafts of the 1963 constitution were thus a direct threat to KANU's authority. Throughout this period, KANU continued to recruit KADU members to join the party, even being so bold as to actually recruit at parliamentary and house meetings⁴². Thus, the ultimate result was a constitution which represented not the views of Kenya as a whole, but rather KANU (and its affiliates who were recruited from KADU). This constitution was inevitably set up to be easily maintained by KANU, who could ensure their majority was maintained. By rejecting Majimboism and regional

³⁸ Fearon and Laitin, "Violence and the Social Construction of Ethnic Identity."

³⁹ Maxon, *Kenya's Independence Constitution*, chap. Background to Constitution-Making and Decolonization.

⁴⁰ *Ibid.*, chap. The Battle for Majimbo.

⁴¹ *Ibid.*, 209.

⁴² *Ibid.*, 211.

autonomy, the 1963 Constitution was weak in that it did not protect the rights of various minorities within Kenya.

Leading up to independence, former Kikuyu loyalists petitioned for further recognition by Britain for their part in opposing the Mau Mau rebellion. They were given increasing land and job privileges from British administration which correlated to the increasing shift away from identifying at all with the former Mau Mau rebels⁴³. The rift between the former Rebels and loyalists further grew, and the already economically privileged loyalists attained even more wealth. The ascension into positions of power by former loyalists or Kikuyu elite was common during this period. These local elites, who had been privileged since the onset of colonialism, were the only Africans in Kenya capable of gaining support, especially so suddenly and during such a tumultuous period. Interestingly, upon his ascension to power, Kenyatta took up a stance against the Mau Mau Rebellion, which he had initially supported (and was imprisoned for). Not only was the movement an embarrassment to him, but as many argue, there was an incentive to condemn or downplay the Rebellion. The main issues were to not alienate or offend Britain or any former loyalists⁴⁴. The new leaders of Kenya needed the wealth that former colonists and loyalists possessed.

The members of KANU who took the elections were those who possessed the capital to build a solid power base, they were the elites. The majority of Kenyan elites were Kikuyu loyalists who had amassed wealth through pro-British relationships. The tribes who had largely remained out of the Mau Mau rebellion, such as the Kalenjin, feared that the Kikuyu would seize their land and violate their rights, thus they formed

⁴³ Branch, "Loyalists, Mau Mau, and Elections in Kenya," 36.

⁴⁴ Clough, *Mau Mau Memoirs*, 47.

the Kenya African Democratic Union (KADU) party in response⁴⁵. Just as KADU had feared, Kenyatta embarked on a policy of reclaiming land from white settlers. Instead of distributing it to the previous inhabitants, he often gifted it out to fellow elites who maintained his support. Other tribes began to coalesce around KADU against the Kikuyu. Fearing a shift in the status quo, persecution due to commitment issues, and ultimately a loss of power, Kenyatta and KANU took advantage of their majority within the government to essentially create a one-party state through molding institutions in ways which would ensure their monopoly of power⁴⁶.

The issue the literature has with the historical context of state formation of Kenya relates to the very situation with which the constitution was created. Robert Maxon explains that British influence in the transition process through the former loyalist-elite proxy contributed to a weak independence constitution that was skewed to favor the desires of this small group and not the needs of Kenyans as a whole⁴⁷. These initial elites, including Jomo Kenyatta, took advantage of the overwhelming majority KANU enjoyed during the first few years of Kenya's independence to manipulate the constitution further to solidify and consolidate power. Kenya transformed from a fledgling federal republic to an authoritative, executive-dominated state within a few years.

Ultimately, the authors of this specific theme correlate these initial stages of Kenyan independence to consolidation of power, domination of Kikuyu and later Kalenjin-led KANU, and a state that lacked any meaningful democratic institutions⁴⁸.

⁴⁵ Rutten and Owuor, "Weapons of Mass Destruction," 310.

⁴⁶ Ibid., 312.

⁴⁷ Maxon, *Kenya's Independence Constitution*.

⁴⁸ Ibid.; Throup and Hornsby, *Multi-party Politics in Kenya*.

This state of Kenya indeed marginalized a large group of Kenyans. However, as Throup and Hornsby note, they could not effectively mobilize due to the consolidated nature of the state and the power hold KANU elites held⁴⁹. Any attempt by the opposition to enter the political realm would be answered with a quick response by KANU to imprison the leaders or further manipulate institutions to prevent doing so, including an amendment officially banning all parties except KANU under the Moi regime. Much of the opposition took the notion “if you can’t beat them, join them” to heart, and became members of KANU, further increasing their power.

Whereas literature related specifically to politics focuses on the social context, this thematic literature focuses on the historical context behind the creation of the state and specific elites. It is interesting to note that both ethnicity and institutional manipulation are both present in this dialogue. Instability within this literature is said to have been brought out due to premature freedoms in states of turmoil in which elites were able to clutch onto power due to their pre-existing positions, whether it be through financial or ethnic favor. The Lancaster Agreement allowed Jomo Kenyatta and KANU to monopolize power. The weak institutions of the agreement coinciding with KANU's monopoly warranted a response by KADU, who feared KANU could not credibly commit to maintaining institutions and the status quo. KANU, fearing KADU's ability themselves to commit if they gained power, responded to the out-group's union by further manipulating institutions in order to solidify their power. Yet again, historically, institutional weakness seems to have contributed to commitment problems in which out-groups fear the party-in-power and group in opposition. Due to another commitment

⁴⁹ Throup and Hornsby, *Multi-party Politics in Kenya*, chap. The Rise & Fall of the Opposition...

problem, the party-in-power fears a shift in the status quo and indeed manipulates institutions in its favor.

Presidentialism, Personalization of Power, and Patron-client Relationships

Another area of literature regarding causes of Kenyan instability looks specifically at institutional manipulations by those in power and ensuing corruption. While also mentioning the historical aspects, including the weakness of the constitution, these authors tend to state that constantly shifting institutions creates an inherently unstable state. Personalization of power within a winner-take-all system opens the door for institution manipulation and leads to commitment issues within political society of the nation.

The patron-client system, sometimes referred to as neopatrimonialism (though not the same in terms of time), was first identified as “the personalization of power at the top as well as at all levels of authority, and the direct interchangeability of economic and political resources, that is wealth and power⁵⁰”. Furthermore, as applied to Africa, it is a system which developed alongside bureaucracy. Additionally, it can further be categorized as elite clientelism, noted by strategic political allocation of public offices to key elites and distributing state resources. Elite patron-client relations are compatible only in closed democratic systems, in which elites are less accountable to constituents, and in which these illegal actions go unpunished⁵¹.

Elites choose patrimonial systems and the concentrated allocation of resources in order to maintain their power and dominate government. In many of these states, it is

⁵⁰ Médard, *L'État Néo-patrimonial*.

⁵¹ Van de Walle, *The Path from Neopatrimonialism*, 3.

less costly to gain support through distribution of resources to the few than actual policy implementation and accountability to the masses. Unstable economies and resource abundance lead to this cost-benefit analysis of the elites. A leader can choose to increase his likelihood to retain power through appealing to constituents by economic growth and other policies, or by simply divvying up resources already within his possession. Empirical evidence has noted that the latter is both effective and a more viable option within these states, and is correlated to increased elite terms in office⁵².

Makau Mutua explains that the growing centralization and authoritarian power portrayed within the executive was the reason there was such a strong counter-movement for democratization and multi-partyism in the 1990s⁵³. He notes that the initial Westminster system created during transition to independence was essentially destined for failure, as there was the inherent need to consolidate power. Even though the political system eventually took on a semi-presidential system of governance, the Westminster legacy was still prevalent, leading to the prevalence of ethnic coalition parties⁵⁴. These authors explain that the mobile nature of parties and power within parliamentary systems manifested themselves in all aspects of Kenyan politics, leading to a turbulent nature of governance.

The connection between an executive-dominant government and instability is famously made by Juan Linz. He discusses the main shortcomings of presidential systems, not unlike the form Kenya took after power consolidation, and how they lead to institutional manipulation and conflict⁵⁵. He begins by claiming one of the biggest

⁵² Arriola, *Patronage and Political Stability in Africa*.

⁵³ Mutua, *Kenya's Quest For Democracy*, 200.

⁵⁴ Murunga and Nasong'o, *Kenya: The Struggle for Democracy*.

⁵⁵ Linz, "The Perils of Presidentialism."

fallacies of the presidential system is the rigidity of it. While this would seemingly appear to contribute to “stability” it does not. The fixed terms of presidents and elected officials allows a period in time with which, if holding an overwhelming majority, the party in power can further consolidate power without fear of opposition. The only way to remove the president is through impeachment, which often requires an almost impossible proportion of votes, which must undoubtedly come from within the executive’s own party as well as opposition⁵⁶. It thus comes to be that accountability shifts away from general public opinion to merely the members of the president’s own party. If his party holds a majority, he must only appeal to these members, as he can maintain power during his fixed terms and consolidate power.

Presidential systems are often characterized as “zero-sum” in which those who lose out on presidency retain no value or position in the government. Linz note that this is most dangerous in plural societies as a president can ascend to power with minority support⁵⁷. Even in elections requiring a runoff if a majority is not attained, a candidate may often receive the majority threshold of votes simply because voters may constitute only those who originally supported those in the run-off in the first place, or because voters feel inclined to “pick” one of the two. Even in these cases, the president rises to power without legitimate majority support of constituents. He also concludes that this zero-sum style of politics can contribute to conflict between marginalized and ruling parties due to the fact that a winner may not garner majority support, but can hold majority power, causing mobilization of force as an alternative to politics by opposition.

⁵⁶ Ibid.

⁵⁷ Ibid.

The case of Kenya seems to provide evidence to the shortcomings Linz provides. KANU indeed won an overwhelming majority in the nation's first elections, and just as Linz described, Jomo Kenyatta took advantage of his fixed term in office to consolidate power, to the point of manipulating institutions which would guarantee KANU's dominance for the next 40 years⁵⁸. The only opposition was vested in KADU, which could not mobilize effectively and was eventually banned. Kenyatta and then Moi were able to maintain power through asymmetrical executive power by appeasing the legislature, which their power was somewhat reliant upon, with personal appointments, handouts, and other patron-client offerings⁵⁹. These authors make an interesting claim by stating that the increasing reliance upon ethnic politics following the onset of multi-party elections was another form of personalization of power, in which ethnic big men maintained these relationships. Instead of appeasing the legislature with political appointments, they offered "protection from other ethnicities" to maintain support.

Following Kenyatta, Daniel arap Moi continued to allocate resources to the very close supporters who maintained his executive dominance. What has differed throughout time is exactly which supporters these resources are allocated to. Kenyatta, an ethnic Kikuyu, chose to appoint fellow tribesmen to office and distribute land accordingly even though ethnic Luo were also part of the KANU coalition⁶⁰. While on the surface this may appear as merely a type of bias, there is a strategic rationale behind it. As previously noted, incentives for neopatrimonialism means of retaining power are best when resources can be consolidated to elite support which still allows for minority rule. Kenyatta took this notion a step beyond allocating resources to just his *political*

⁵⁸ Branch and Cheeseman, "Democratization, Sequencing, and State Failure in Africa."

⁵⁹ Ibid.

⁶⁰ Branch, 7.

supporters. He applied the winner-take-all system within the executive sphere itself. With executive dominance already determined through KANU's dominance of the legislature and constitution, he realized within an ethnic coalition party, zero sum politics could be applied internally. Kenyatta took advantage of his rigid tenure in office to ban several key opposition parties⁶¹. What this meant was that the party patronage required for power could be replaced with ethnic patronage, further reducing and consolidating levels of accountability. If only one party was allowed to run, legitimized opposition could only form internally. Even if Luos began disassociating with the KANU coalition (and many did), they could not change the status quo so long as Kikuyu power was maintained through patronage.

These arguments seem to indicate that elites take advantage of a weak presidential system to manipulate institutions in their favor and to better allocate resources in patron-client relationships. Minority groups themselves, in part because of the apparent weakness of these institutions and believing they cannot credibly protect their rights, form opposition groups and parties. In a winner-take-all system like Kenya, there is indeed much more to lose for these minority parties, thus the commitment problem is an even larger issue.

Neopatrimonialism

Following the death of Kenyatta, his successor, Moi, continued this ethnic elite patronage in a one-party state. Instead of Kikuyus, his own ethnic Kalenjin were often those involved in clientelism. Even after multiparty elections were opened up in

⁶¹ De Smedt, *No Raila, No Peace!*, 584.

the early 1990s, neopatrimonialism continued to define elite power in Kenya⁶². Moi and his cabinet strategically allocated resources in such a way to both divide and pacify opposition. If opposition could not solidify and mobilize into legislative power, he could continue the executive dominated patron-client system which provided a base to his power. There was no legislative check against his practice, nor was there any power in the constituency requiring accountability.

Just as newly independent Kenya was deemed by many to have been granted sovereignty prematurely, the state also seemed to have not been prepared for multi-party, competitive politics in 1992. While the literature tends to view independence being expedited due to the Mau Mau Rebellion, the authors tend to agree that multi-party elections were rushed due to the end of the Cold War, economic downturn, and ensuing structural adjustment policies implemented by international lenders such as the World Bank and IMF⁶³. Instability thus arose when a state was suddenly granted these new freedoms, and politicians clamored for power. Unlike before where elites attempted to attain power through pro-colonial relationships which had provided them with financial means, the situation in 1992 led to elites manipulating ethnicity to create in-groups and out-groups, as previously mentioned⁶⁴.

Moi successfully manipulated ethnic mistrust, stemming all the way from colonial stereotypes, along with commitment problems and fears, to incorporate other tribes into KANU's support base⁶⁵. He even went so far as to encourage his own ethnic Kalenjin to

⁶² Branch, 8.

⁶³ Throup and Hornsby, *Multi-party Politics in Kenya*.

⁶⁴ Ibid.; Lynch, *I Say to You*, chap. Democratization and the "Kalenjin Vote" ...; Felicia Yieke, "Ethnicity and Development in Kenya: Lessons from the 2007 General Elections."

⁶⁵ Throup and Hornsby, *Multi-party Politics in Kenya*, chap. Why KANU won.

create a “KANU only” zone in his home province, Rift Valley⁶⁶. Under the guise of violence and fear, he attempted to gain support under the notion that a vote for KANU was a vote for stability. Politics would forever transform from being entrenched in patrimonial relationships to being based off of tribal identities in the form of protection of the tribe themselves (such as the case of the Kalenjin) or protection from tribal conflict in general, as Moi attempted with his ordered attacks.

The winner-take-all nature of Kenyan politics also led to a unique situation as well. Moi was able to win presidential elections in 1992 with only around 37% of the vote, constituting a minority rule⁶⁷. Both Mutua and Branch & Cheeseman note that this led to further conflict along perceived ethnic lines. The latter are keen to note that ultimately “the increased salience of ethnicity is better understood as the outcome of changes in institutional context and the decision-making matrix facing political leaders, rather than their cause.⁶⁸” This literature indeed notes that institutional manipulation in Kenya led to further marginalization and polarized politics along ethnic lines, but that it was the institutions themselves that were the root problem leading to instability. The relationship is best summarized by Holmquist and Githinji who state:

“Kenya’s political institutions failed because the political class abused them and because most citizens do not trust them, and may not have trusted them throughout most of the 20th century.⁶⁹”

One important critique of this literature is discussed by Migai Akech who states that institutional manipulation has now spread to not only encompass the executive

⁶⁶ Mutua, *Kenya’s Quest For Democracy*, 84–85.

⁶⁷ *Ibid.*, fig. Table 5.1.

⁶⁸ Branch and Cheeseman, “Democratization, Sequencing, and State Failure in Africa,” 3.

⁶⁹ Holmquist and Githinji, “Default Politics of Ethnicity in Kenya, The,” 114–15.

branch of Kenyan government but the judicial and legislative branches as well⁷⁰. He explains that there have indeed been “improvements” within asymmetrical executive dominance. There is more transparency and accountability through various reforms, especially within the constitution. However, he provides alarming narratives which seem to indicate that these executive elites seem to have delegated personalized politics to bureaucrats below them, maintaining this “big man” style of politics. He explains that by doing so, these executives are able to maintain consolidated power while appeasing opposition and their own party at the same time. Could this be a new chapter in the evolution of institutional manipulation within Kenya?

As Kagwanja and Southall note, the constantly changing makeup of ethnic coalitions within the Kenyan state cause the perception that future interactions are not guaranteed⁷¹. Institutions, furthermore, cannot guarantee protection of minority rights either, as they are often molded by the “big men” in power, with support of patron-client relationships, and these relationships also create incentives which lead to members of members of an ethnic big man’s tribe to exploit the situation further, thus in-group enforcement is relatively rare⁷². Because there is no actual ethnic majority in heterogeneous Kenyan society, an opposition group is more likely to perceive that resistance could defeat the party in power, again leading to perverse incentives to resist and fight.

Ethnic Politics, Election Violence, and the End of Perceived Stability

⁷⁰ Akech, “Abuse of Power and Corruption in Kenya.”

⁷¹ Kagwanja and Southall, “Introduction.”

⁷² De Smedt, “‘No Raila, No Peace!’ Big Man Politics and Election Violence at the Kibera Grassroots.”

In order to at first identify ethnicity in a Kenyan context, it must be determined how to view ethnicity itself. Is ethnicity this real, almost biological structure which is embedded in the nature of human beings? Samuel Huntington's famous essay, "The Clash of Civilizations", would describe the situation as so. He notes that ethnicities are rigid extensions of human nature, stating "cultural characteristics and differences are less mutable and hence less easily compromised and resolved than political and economic ones⁷³". In doing so he makes an ominous prediction that as the world continues to globalize and people come increasingly into contact with one another, their ethnic differences will draw them into conflict. He further states that these cultural and ethnic ideologies can totally oppose democracy itself. This would prove disastrous for democratization in Kenya, which claims 42 categorical ethnic categorized based in "tribes⁷⁴." Forced to cohabitate under a state with an artificial boundary imposed by a foreign entity through the Berlin Conference in 1884⁷⁵, it would seem that according to Huntington's argument, that the multitude of various ethnic groups within Kenya would be in constant conflict with one another and there would be little to do to curb the violence. If this was the case, the argument that ethnic politics causes instability within Kenya would be rather pessimistic.

The other common view of ethnicity is that it is rather fluid and can shift (somewhat) over time and space. Here, a constructivist view is introduced, in which knowledge and perceptions are constructed in the mind of the learner rather than being innate and predisposed. This paradigm was introduced and expanded upon by Piaget and

⁷³ Huntington, "Clash of Civilizations, The," 27.

⁷⁴ Kagwanja, "Courting Genocide."

⁷⁵ Iliffe, *Africans*, chap. Colonial Invasion 194–95.

Bodner⁷⁶. Fearon and Laitin applied this theory to ethnicity and conflict. Their adapted constructivist theory views ethnicity as a social construct based on temporary or long-lasting relationships. They discuss in their essay that empirically, primordial explanations for ethnic and cultural conflicts are rare, and even if present, lack correlation. They ultimately explain that oftentimes, ethnic and cultural differences and divisions are often categorized, emphasized, or organized in a way to create political incentives for ethnicity classifying politics⁷⁷. This view of ethnicity as fluid and malleable lends to the argument many scholars have made that in fact politics can take on an “ethnicized” aspect which is set up in a way to one group’s advantage. The Hutu and Tutsi divisions precipitating the Rwandan genocide is commonly a case point of this constructivist paradigm. Fearon and Laitin explain that both the Hutu and Tutsi emphasized these ethnic divisions at various points in order to create a sense of bombardment in order to solidify support within their own ethnic group. Furthermore, these divisions had initially been entrenched during the actual colonial regime in the state⁷⁸. Thus, for the purpose of this literature review, I will define ethnicity as this constructivist theory suggests that it is indeed fluid and can change and be manipulated under certain circumstances.

Much of the literature regarding ethnicity within Kenyan politics has been spurred by the 2008 post-election violence, which was widely regarded as being driven, at least to some extent, by ethnic and tribal divisions⁷⁹. Johan De Smedt analyzes the contemporary situation in Kenya in his piece. He states that the violence following the 2007 elections

⁷⁶ Bodner, “Constructivism.”

⁷⁷ Fearon and Laitin, “Violence and the Social Construction of Ethnic Identity.”

⁷⁸ Ibid.

⁷⁹ Kagwanja, “Courting Genocide”; De Smedt, “‘No Raila, No Peace!’ Big Man Politics and Election Violence at the Kibera Grassroots”; Holmquist and Githinji, “Default Politics of Ethnicity in Kenya, The.”

was exacerbated by neopatrimonial relationships embedded within the governance of the state⁸⁰. These relationships, he mentions, although notably downplays, began with the formation of the state, in which tribal administrative units under British colonialism became ethnic political parties⁸¹. He also explains that Jomo Kenyatta made use of appointments and handouts through his own Kikuyu tribe to gain a larger support group. He states that Daniel arap Moi continued neopatrimonial relationships, although due to lack of resources, resorted more and more to force and coercion. Notably here, he fails to explain the cause of this lack of resources⁸². De Smedt's findings seem to indicate that ethnic politics result from neopatrimonial relationships such as appointments and allocations of resources and that ethnicity was simply an easy way to unify and distribute these handouts.

De Smedt notes that ethnic politics truly polarized the population during the 1992 elections, which were the first multi-party elections allowed since independence. He notes here that politicians further made use of patron-client relationships in which they would provide rewards for political support. Noting how the elections "created new opportunities for ethnic 'big men', who could now profile themselves as the defenders of their ethnic group on the national platform, promising a piece of the national economic cake, including jobs, favours, and hard cash, in return for votes."⁸³ He goes on to further note that this perceived notion of ethnic favoritism leads to political tribalism, in which politicians intentionally manipulate ethnic notions to pit groups against one another, inciting fear and conflict over issues such as land, in order to attain power through

⁸⁰ De Smedt, "'No Raila, No Peace!' Big Man Politics and Election Violence at the Kibera Grassroots."

⁸¹ Ibid., 583.

⁸² Ibid., 584.

⁸³ Ibid.

essentially “divide and conquer” means. Thus, conflicts which were minor before, such as election disputes, can break out into violence. As fear and polarized sentiments became more embedded within the focus within politics on ethnicity, ethnic groups perceived that there was much more to lose, and violence became a more viable alternative than losing out, for fear of persecution. Patron-client relationships, according to the De Smedt, were based along ethnic lines during the 2007 elections as well, culminating with Kikuyu and Kalenjin violence between these parties’ respective clients. The ethnicization of patron-client relationships is a common topic of debate in analyzing democracy within Kenya.

Felicia Yieke further expounds upon political tribalization. She notes the constructed nature of ethnicity in Kenya, making use of an anecdote in which the term “Kalenjin” was first noted in a 1979 Census, in which a tribe was created out of several smaller ones for the purpose of the Census⁸⁴. Within her work, Yieke notes that the continued dependence and organization around ethnicity in Kenyan politics is a testament to the fact that it indeed is effective at maintaining power and support. She supports De Smedt’s remarks that ethnicities become the category for which rewards are offered in return for support. She also defines the relationship to one in which the political leader makes use of his tribal base as a shield against an organized opposition⁸⁵. Interestingly, Yieke remarks that ethnicity did not become a polarizing force in Kenya until the 1992 multi-party elections, in which politicians had to increasingly rely on ethnic basis for political support, as there was increasing opposition. In a winner-take-all presidency, this creates an increased sense of fear and commitment problems in which, agreeing with De

⁸⁴ Felicia Yieke, “Ethnicity and Development in Kenya: Lessons from the 2007 General Elections,” 11.

⁸⁵ *Ibid.*, 14.

Smedt's argument, she states will lead to increasing conflict and violence⁸⁶; marginalized people of the out-group tribes will resort to violence, as it appears more rational due to the prospects of what may occur if another certain tribe takes power.

Notably, as no ethnic tribe within Kenya constitutes a majority (the Kikuyu represent the largest proportion at 22%⁸⁷), leaders making use of tribal politics must also gain some support from other tribes. Oftentimes, large political unions form during times of elections. These coalitions are often short-lived and constantly reformed. Kagwanja and Southall note that for much of Kenya's history, the government was controlled by KANU, which had almost always been run by Kikuyu politicians⁸⁸. Interestingly, besides for a short period under the Moi (an ethnic Kalenjin) presidency, KANU had always been a coalition formed around the Kikuyu. However, the other major tribes within the coalition had constantly changed⁸⁹. This further marginalized the out-group of tribes and solidified fear. In a situation described as the "41-against-1" rhetoric, the authors state that tribes not included within these super-coalitions tend to mobilize against the Kikuyu, not over political ideologies, but instead out of grievances with the tribe itself due to the ethnic nature of politics⁹⁰.

These pieces all focus on the mobilization of political support through ethnic and tribal characteristics. The authors would all agree with one another that the ethnic tribes within Kenya are a social construct, and that their eminence really began following independence. The relationship between ethnic politics and instability in Kenya revolves around the marginalization and polarization that ensues from political tribalization.

⁸⁶ Felicia Yieke, "Ethnicity and Development in Kenya: Lessons from the 2007 General Elections."

⁸⁷ Kagwanja and Southall, "Introduction," 266.

⁸⁸ Kagwanja and Southall, "Introduction."

⁸⁹ *Ibid.*, fig. Table 1.

⁹⁰ *Ibid.*, 266–67.

James Fearon best relates the relationship these authors present on political tribalization and ensuing instability. He explains that in a normal democratic state, minority opposition, even if marginalized, will often acquiesce to the majority, as the alternative of physical resistance is much too costly⁹¹. This was the case in Kenya during much of its post-colonial history, where because of neopatrimonialism, out-groups could be pacified by appointments, and those who did not comply stood no chance against the dominant party in power, which held utter control over institutions in Kenya. He also notes that factors conducive to cooperation of the out-group or minority are 1) the prospect of future interaction and ability to credibly commit to negotiations, 2) institutions present, 3) the strength of the majority party, and 4) in-group enforcement. Essentially, when these factors are lacking or not present at all, the marginalized opposition will fear the overarching power of the tribal party of power, especially in a winner-take-all system. Thus, they will mobilize and fight for, in a literal sense of minority perceptions, their own survival. Likewise, the party in power (which is organized along ethnic lines in Kenya) will view the mobilization of opposition as a threat, and they themselves will further mobilize. Thus, a situation occurs which spirals out of control, in which neither side can credibly commit to not persecuting or marginalizing the opposition, leading to physical conflict becoming a viable option born out of fear.

While all of Fearon's safeguards for stability were lacking in post-colonial Kenya, ethnic violence was not seen on a large scale until after open elections in 1992. The key element in this situation is that institutions, indeed, were not guaranteed for the

⁹¹ Lake and Rothchild, *The International Spread of Ethnic Conflict*, chap. Commitment Problems and the Spread of Ethnic Conflict.

out-group or minority groups. However, these institutions were at the whim of KANU elites to the extent that the party-in-power was, through manipulation of institutions, always one step ahead of any attempt by the opposition to coalesce around any significant resistance. Because of patron-client relationships, KANU elites continuously enjoyed their control over institutions and could maintain this power through appointments rather than accountability.

Elections following the 1992 elections continued to be marred with violence based along ethnic lines, further solidifying the notion that one could not trust a candidate to protect them except one from his own party. If we view this again from a commitment problem perspective, we can rationalize this violent behavior. Kikuyu elites of KANU, who have marginalized most other tribes in Kenya throughout history, fear retaliation from other tribes which coalesce around opposition parties. Because a shift in power would provide access to vast resources for the opposition, they would begin entering the elite realm that the Kikuyus had previously dominated. They would then have no credible reason not to marginalize and persecute the Kikuyus themselves. Thus, KANU and the Kikuyu elite have an incentive to do whatever it takes to maintain power. Ethnic politics, a symptom of a situation which lacks institutions, creates an unstable situation within Kenya due to commitment problems, with various tribes fearing a shift in the status quo.

This relationship aids in realizing the truth behind ethnic politics in Kenya. They are a symptom or an outcome of the political system, but do not themselves contribute to democratic instability. The previous scholars have all agreed that ethnic and tribal politics have been a part of Kenya's socio-political realm since independence, and even

preceding this period. However, it is only after the late 1980s, when neopatrimonial relationships began to fail, that political violence attributed to tribal politics is exhibited. It is only when the party-in-power could not balance elites and maintain support through political appointments and handouts where ethnic violence begins to be exhibited. Ethnicity was a rational way to organize support and handouts by early elites. With a constructivist rationale in mind, one can see how these political coalitions such as KANU and KADU could have easily involved other ethnic identities depending on how these elites wanted to distribute their appointments in order to remain in power. The break of the Luo self-identity with KANU illustrates this situation. Thus, it seems that it is institutions and commitment problems of an out-group which determine stability in Kenya, and ethnicization of politics is merely a symptom of the relationship of these two larger factors.

The Constitution as an Institution

Makau Mutua defines constitutions as needing to both allocate power across the government structure, determining who can and cannot exercise certain powers, while also possessing a limiting quality which protects the freedoms and liberties of average individuals from those in power⁹². It is the absence of this duality of constitutions which leads to the marginalization of a minority. He states that minorities are not inherently subject to being persecuted and ignored, but rather, when there are no safeguards from keeping an elite group that maintains power through personal relationships, this is when minorities are subject to discrimination. Lending to this argument he explains “The

⁹² Mutua, *Kenya's Quest For Democracy*, 263.

members of the emergent ruling class did not defend or protect the Lancaster Constitution because they did not believe in it and needed to neutralize it to consolidate their power.⁹³

Mutua also marks the importance of civil society in aiding in forming rigid constitutions that are more applicable to a larger population. He notes the emergence of the Citizens' Coalition for Constitutional Change (4Cs) which first published a draft constitution in 1994⁹⁴. The author further expands, claiming that President Moi responded to this draft with a hasty declaration of his own noting the need for a new constitution drawn up by "foreign experts." Mutua's analysis of this anecdote goes on to further note how Moi's desire to mold the constitution through foreign means was another attempt on his part to manipulate institutions within Kenya. He explains that the 4Cs had found a way to mobilize opposition against the president by claiming the need for a constitution created by Kenyans, not foreigners.

Mutua eventually launches a policy prescription of sorts claiming the need for civil society to herald in a new constitution and era within Kenya. He explains "Kenya's political class is a direct creation of the state and has no other independent origin⁹⁵." Essentially, political players in Kenya are meant to serve the ruling party and conserve its power. This relationship became solidified into law in 1969 with an amendment passed allowing President Kenyatta to control the civil service sector⁹⁶. This is why institutions are so easily manipulated, even if they go against the desires of the majority of Kenyans.

Following the horrific post-election violence, due to both internal and external pressures, Kenyan governance proposed a referendum for a new constitution which seeks

⁹³ Ibid., 99.

⁹⁴ Ibid., chap. The Quest for a Democratic Constitution.

⁹⁵ Ibid., 274.

⁹⁶ Murunga and Nasong'o, *Kenya: The Struggle for Democracy*, 29.

to abate the precipitating factors of instability and violence within the nation. Migai Akech discusses the importance of this constitution by noting how it not only provides rule of law, but checks and balances of each of the branches of government, something not seen in the previous 1963 constitution⁹⁷. In this sense, already, the Constitution, theoretically controls for personalized politics by the executive branch. No longer can elites in the presidential system provide appointments and handouts to a select few in the executive. Because of checks and balances, both the legislative and judicial branches are tied in to the system of governance. It is virtually impossible for any executive body to consolidate power and resources through appointments when the base of power is so broad to begin with. In this sense already the Constitution seems to make the executive more accountable. It is for this reason that Akech concludes it inevitably reduces issues of credibility.

If a constitution is viewed as the epitome of governing institutions within a state, then the 2010 Constitution of Kenya should provide a unique focal point in regards to its effect on commitment issues and thus stability. Specifically, the constitution includes clauses creating an Independent Electoral Boundaries Commission to monitor elections, provides for punishment of elections-related offenses, reforms party registration, and institutes a requirement of a president to receive at least 25% of the vote in half of the 47 counties of Kenya⁹⁸. Clearly, these sections were directly aimed at serving as an antidote for issues of election violence. However, as previous discussion emphasizes, the main contributions to this violence was commitment problems due to a lack of strong institutions. In this sense, does the Constitution serve as a treatment to these ailments?

⁹⁷ Akech, "Abuse of Power and Corruption in Kenya."

⁹⁸ *The Constitution of Kenya (2010)*.

Going back to my initial assumptions that contention arises between the party-in-power and out-groups due to a lack of credibility by those in power to commit to protection of minorities, does this new constitution protect the civil and political rights as well as sovereignty of these minorities and out-groups?

Accountability maintains paramount in order to treat the ailment of commitment issues in the political context. Modern analysis notes that there are both short-term and long-term aspects to this treatment. This analysis aids in explaining the short-term and long-term aspects of the new Kenyan constitution in regards to attempting to increase political accountability. Brett Leeds notes:

“There are two mechanisms through which accountability discourages defection. First, leaders suffer domestic audience costs for policy vacillation. Second, domestic coalitions develop that benefit from international conditions and would suffer from a change in policy; when accountability is high, the interests of these coalitions have an influence on policy. Thus, there are both short-run and long-run factors that encourage consistency in policy⁹⁹.”

In this sense, it would appear that any attempt by a president or other executives to ignore or manipulate the rule of law within the Constitution would destroy his credibility and, all aspects of the constitution withholding, lead to his loss of power through democratic means (such as elections or impeachment). This analysis speaks importantly on the audience cost of elites in a state with strong institutions embedded within a democratic constitution. If this audience believes in the constitution and the democracy as a whole, then they will hold leaders accountable to it. Thomas Pogge argues similar sentiments in regards to aspects of human rights. He claims:

“While the government may, then be the primary guardian of human rights and the prime measure of official disrespect, the people are their ultimate guardian on

⁹⁹ Leeds, “Domestic Political Institutions, Credible Commitments, and International Cooperation,” 986.

whom their realization crucially depends...it (respect of human rights) is sustained more deeply by the attitudes of its people¹⁰⁰.”

Similar to attempts to diverge from the path of human rights, any attempt to deviate illegally from the contents of the constitution will be received with disdain. Thus, for political survival, leaders must credibly commit to withholding the constitution itself. In this sense, it is a self-enforcing act so long as the people within the state are represented within and themselves believe in the constitution.

The audience factor of constituents and their perceptions of the constitution is thus the focus of my research and leads me to my hypothesis that:

The 2010 Constitution, as an institution, has increased perceptions of democracy and stability by abating issues of commitment problems in Kenya. Thus, conditions such as ethnic politics and neopatrimonialism have also decreased coinciding with this strong institution.

The acting hand of the constitution itself is its ability to hold elites accountable through audience costs. By doing so, elites, and as Akech notes, other branches of the government must remain accountable to the people in order to maintain political survival. The Constitution is an institution which abates commitment problems and thus stymies the symptoms of neopatrimonialism and ethnic politics. Additionally, leaders must uphold the aspects of the constitution in order to maintain power. In this sense, the Constitution enforces itself so long as there is a perception and belief of the people themselves in it as an institution. If effective, it is not political appointments, handouts, or ethnic politics which determine political survival, but rather accountability through democratic processes.

¹⁰⁰ Pogge, *World Poverty and Human Rights*, 69.

If the constitution is thus effective at reducing issues of the ability of those in power to credibly commit to minorities and out-groups, then there should be a negative correlation to symptoms such as neopatrimonialism and violence related to ethnic politics. In turn, the nation will be perceived as more stable not only by the citizens but the international community. Democracy and its potential to flourish in Kenya thus can be achieved with the promulgation of the Constitution, but more importantly, the positive perception and belief in it by Kenyans. For this reason, I chose to focus on the success of the implementation of the Constitution and its prospects for democratic stability by analyzing the perceptions Kenyans themselves have of the constitution and democratic institutions within Kenya.

Studying the Symptoms to Diagnose the Illness

A commonality all the studied literatures share is the notion of the marginalizing effects of power consolidation which leads to fear within minority populations who are not represented within these dominant party coalitions. Commitment problems result from this scenario. Perhaps this commonality will provide a variable for which to further analyze, the notion of commitment problems that arise due to the marginalizing effects of the Kenyan system. However, as each of these literatures has indicated, all of the factors stem from the endemic situation in Kenya in which commitment problems arise out of a lack of institutions, whether it be the result of executive manipulation, ethnicity, or neopatrimonial relationships.

Upon the surface, the factors directly contributing to democratic instability and violence in Kenya commonly seen during elections seem to be the relationship

neopatrimonial and ethnic politics have played in both consolidating power and marginalizing out-groups. However, while these studied factors can be analyzed as causes, they are primarily symptoms of a system with historically weak institutions, which cause commitment problems for various actors (majority and minority parties) and in turn further degrade institutions within the nation. Thus, the commanding factors of institutional weakness and commitment problems appear to be the true underlying causes of the cyclical nature of Kenyan politics. In turn, there are outlets such as neopatrimonialism, coercion through a one-party state, and ethnic politics which are outlets to take advantage of these weak institutions when commitment issues are present, an emanation of the system and not an explanation.

These findings allow me to focus my research to specific realms. I am not researching the singular relationship of state formation to democracy, ethnic politics and stability, or manipulation of institutions. Rather, I will analyze how each of these factors fits in to a larger system of institutional weakness and commitment problems. I will thus analyze the role ethnic politics plays on commitment issues along with how neopatrimonialism contributes to weakened institutions. These analyses will provide evidence that both neopatrimonialism and ethnic politics are outcroppings of the system, intended to solidify and monopolize power in response to out-groups. I will thus focus on fears of both the ruling party and the out-group and the effect on concessions of institutional manipulation. Finally, I plan to ultimately test the variable of institutional strength itself by analyzing perceptions of the Kenya Constitution (2010), not only in a situation but over time as well. I hope this analysis will also assist in helping to support

my previously stated reasons that violence and stability were not apparent in Kenya until the early 1990s.

Methodology

The research focuses on factors contributing to instability and violence within Kenya. While theoretically, Kenya is an apparent choice for research, for a site basis, it provides a multitude of situations which allow for many controls and various tests. The nation has a unique geographic position in regards to Nilotic and Bantu peoples. Kenya is also one of the main economic powerhouses in Africa with various foreign interests involved. Also aiding me in choosing Kenya as my site of study was that I have visited the nation for two consecutive summers and thus data is more readily accessible than other nations. The main draw to Kenya in the context of my research is that the nation has been lauded since independence for avoiding full-scale conflict, unlike many of its neighbors (like war-torn Somalia, the horrors of the Rwandan genocide, or the atrocities of Uganda under Idi Amin, to name a few); however, there have been numerous instances of torture, extrajudicial killings, post-election violence, tribal clashes, and even a coup attempt. More recently, Kenya began an invasion into Somalia to root out Al-Shabaab, a terrorist cell with ties to Al-Qaeda. Following this decision, the nation was inundated with various guerilla attacks and bombings, mainly in the form of renegade grenade attacks. In the past year, dozens have died in such attacks¹⁰¹. It seems that today, with the ongoing hiccups of the elections in March of 2013¹⁰², Kenya is at a very fragile and vital crossroads in determining the prospects of its future, and the violence and instability of its past.

¹⁰¹ "Death Toll in Eastleigh Grenade Attack Rises to Five."

¹⁰² "Uhuru Kenyatta Takes Early Lead as Kenyan Election Results Trickle In."

The ultimate goal of the methodology within my research is to analyze narratives in the form of qualitative measures and identify quantitative variables with them. These quantitative variables will then be used for analysis which will be able to show numerically correlations between variables which are often perceived as opinionated or qualitative. Essentially, I aimed to quantify a qualitative aspect of politics within Kenya in order to test my hypothesis about the effect the constitution as an institution has in maintaining accountability, abating commitment problems, and promoting stability and democracy.

Approach

For my research, I chose to implement a mix of quantitative data and narrative analyses in uncovering the relationship between the factors contributing to democratic instability and violence within Kenya. Because the geopolitics of the nation are so broad, and the nation so heterogeneous, it is near impossible to launch any type of quantitative analysis without first noting areas of high priority. My literature analysis, in this sense, serves as both a background for research on my question as well as a means to help identify variables and factors for study. While delving deeper into the thematic areas within the literature review of historical context, neopatrimonialism, and ethnic politics, I was successfully able to uncover indicators which would provide for quantitative variables with which to evolve my research. These themes are discussed in detail previously in the literature analysis.

Being a topic of such a wide array of potential relations and influences, quantitative analysis was indeed implemented in order to determine the exact

relationship. The nature of what I'm studying is an entity within itself. Politics, especially within a heterogeneous state such as Kenya, are a highly opinionated and emotional phenomenon. While narrative analysis can indeed lend to theories of relationships, these analyses are also subject to bias or censorship due to the nature of the "political game" within Kenya. Sechrest and Sidani support this by stating that indeed qualitative data tends to have more bias, especially in terms of confirmation bias, in which people tend to only analyze data which supports their hypothesis. Quantitative data helps compensate for this by implementing more numerical and statistical data, which is harder to ignore or manipulate to one's personal preference. However, this too has problems still with biases, thus the authors recommend a mixture of both quantitative and qualitative data when undertaking research in the social sciences in order to overcome biases¹⁰³. Thus, I implemented a mixed approach, making use of both qualitative analysis in the form of narratives and a literature review, and quantitative analysis in the form of demographic data compiled with surveys. The qualitative data indeed was necessary to point out variables for the quantitative data, and without using both, the research would be lacking validity.

Qualitative Analysis

The qualitative analysis I implemented has been previously discussed in the literature review. I will also make use of further narratives in my analysis of quantitative data in the ensuing chapter. My aims in this are to both build up and uncover the quantitative variables while also providing a context for which to test them in a real-world setting within my thesis itself. My goal was to have statistical quantitative results,

¹⁰³ Sechrest and Sidani, "Quantitative and Qualitative Methods."

and further test these results by re-implementing a qualitative narrative (using different sources than previously noted in the literature review). The bulk of this analysis comes from readings and interpretations of various journal articles and books on Kenyan politics and ethnicity, especially those focusing around the post-election violence of 2008. In order to control for biases, I made sure to include both Kenyan authors who were present in the nation during the period, Kenyan authors who were abroad, and international observers and authors as sources for my data. Essentially, their literature, findings, and opinions serve as indicators to the quantitative results which I will test. Without this essential background, the genesis of the research may be incoherent and without a solid background.

Quantitative Analysis

Quantitative data within my research consisted of two datasets from Afrobarometer. These datasets are contrived from surveys conducted in 2008 following election violence, and 2011 following the promulgation of the new Kenyan Constitution of 2010. The topics of these surveys relate to various questions regarding governance, corruption, ethnic politics, economics, and safety. The overall broad range of this survey served as a means to enable various control factors along with a comprehensive set of results. Additionally, because the data was collected by an independent non-governmental organization, it allowed me to control for biases and national politics as best as possible. This was because though quantitative data is numerical and cannot be manipulated in such a way, the variables themselves are not, and thus are still subject to

certain biases¹⁰⁴, which would have been more problematic had the Kenyan government instituted the survey, as they are liable to seek a certain outcome, especially giving all the corruption within the nation. While the survey was not open-ended, it did allow for certain emotional expressions to be presented with including asking the participant's emotions when taking their survey. The Afrobarometer survey was thus one of the most comprehensive and readily accessible tools for which to analyze quantitative findings.

Quantitative Correlations

I compiled the hard data into datasets that were coded by variables with similar groupings. For instance, within data, factors that were related such as household income and county income were grouped together to make identification easier. The ultimate goal with the data gathering was to compare variables and find correlations between factors which would test my hypothesis. In order to do this, I chose to run regressions with Stata software. These tests of correlation between an independent and dependent variable not only uncover the correlation, but the likelihood that there is a legitimate relationship and not just "random noise" or coincidence. By mathematically incorporating several variables, the significance of each one to the outcome is more easily illustrated¹⁰⁵.

I chose to focus quantitative analysis in the categories of 1) Neopatrimonialism, 2) Ethnic Politics, 3) Election Violence, 4) Accountability, 5) Institutions, 6) Commitment Issues and finally 7) Perceptions of Democracy. My intentions were to correlate the relationship between symptoms of instability (such as election violence or

¹⁰⁴ Sechrest and Sidani, "Quantitative and Qualitative Methods: Is There an Alternative?," 81.

¹⁰⁵ Allen, *Understanding Regression Analysis*.

neopatrimonialism) to the broad context of institutions and credible commitment. This method is common to the political science through statistical correlations and regressions which can quantify such relationships¹⁰⁶. By using this approach, I hoped to provide similar results in a format which would be easily interpreted by the political science community.

Construction: How to Determine “Stability”

Within the dataset, the finalized output variable was *Q43* for both of the data sets, representing satisfaction of democracy and how it works within Kenya. For clarification, this variable becomes synonymous with stability throughout the results. For this study, the more satisfied a person is with democracy in Kenya, the more stable they find the nation and democratization. As previously discussed, institutions such as the constitution are not successful without the belief of the people, thus perceptions of democracy were indeed vital to study. This variable allowed the best perception of stability and democratization within Kenya across time. As the 2007 survey was conducted before the promulgation of the 2010 Constitution and the 2011 survey after, I would be able to more directly analyze the impact of the Constitution on democracy and stability within Kenya on a chronological basis.

Construction: Categories of Quantitative Analysis

My decision to categorize my variables into focal groupings was based off of the previous qualitative analysis. I hoped to situate the symptoms of neopatrimonialism, ethnic politics, and election violence into a context that illustrated the relationship these

¹⁰⁶ Kellstedt and Whitten, *The Fundamentals of Political Science Research*.

factors held within the Kenyan system of governance. Additionally, as I was ultimately testing my hypothesis that the constitution served as an institution which would implement strong institutions to curb commitment problems, I desired to study its effect on these two broad factors of stability within Kenya. Ultimately, I would be comparing values of the variables of the 2007 survey to those of the 2011 survey¹⁰⁷. In this sense, I could study the effect the Constitution had on these categories.

The category of neopatrimonialism was analyzed with variables comparing data about perceptions of corruption within the office of the President. I took this variable to serve as an indication of factors such as political appointments, patron-client relationships, and other forms of neopatrimonialism. Additionally, I looked at the correlation of 2011 data specifically regarding how the Constitution effected political appointments. Ethnic politics were analyzed through the lens of the respondent's perception of how his own ethnic group is treated by the government. Ethnic violence was correlated through the variable regarding perceptions of frequency that party competition contributes to violence. Accountability was studied by comparing opinions of who should be responsible for holding the president accountable and belief that members of parliament listen to voters.

I studied institutions by comparing a variable regarding how the president ignores the laws of the country, a direct testament to weak institutions. In order to analyze how commitment issues were affected by the Constitution, I compared trust in both the president and the ruling party between the two data sets. Trust was an indication of fear of the out-group or minority, and thus illustrated commitment problems discussed in qualitative analysis quite well. Perceptions of democracy was an actual variable and thus

¹⁰⁷ See Appendix B

was easily compared between datasets. Finally, I chose to run a multiple regression of satisfaction with the 2010 Constitution to the other previously discussed categories. This regression would allow me to determine the effect of the constitution compared to other external factors. This ultimately relates back to my qualitative analysis which noted how constitutions were effectively self-enforcing if they were perceived strong by constituents; thus, a constitution in this situation would be effective in serving as a strong institution and curb credible commitment issues endemic within the Kenyan system.

The ultimate nexus of my quantitative analysis was to compare the change in the various studied factors and symptoms of the Kenyan system following the promulgation of the 2010 Constitution by comparing the change in the mean and median of certain ordinal variables. Though only ranked on a scale of 0 to 3, I hoped that even a slight trend across a majority of variables would help test the success of the Constitution as an institution and treatment for commitment problems and the coinciding symptoms. This comparison was done by first recoding the variables in both datasets to remove missing variables and unanswered values. After this, the mean and median of each variable was recorded corresponding to its equivalent value in the other round of Afrobarometer surveys. This method best illustrates the effect of the Constitution as an institution to treat various commitment problems and symptoms.

Within the following chapter, the results are analyzed in order to determine the implications. The analysis draws quantitatively from a background of statistics including Pearson's chi square test in determining the significance of relationships. The background to this study is also provided and the interpretation explained.

Fundamentally, the next chapter serves to both interpret the results and relate them to the previous qualitative findings in the literature review.

Results and Analysis

The findings of my quantitative research depend upon a few mathematical functions and assumptions. The first is the importance of the p-value to the quantitative research. When running regressions and correlations, this value is calculated to determine that the correlation you find is an actual relationship and that the “null hypothesis” or that there is no relationship, is unlikely. The closer the p-value is to 0, the more likely the null hypothesis is not true and that there is indeed a relationship. In terms of validating my research, one of the most important aspects of the regressions is that they exhibit a low p-value, or else the research may not actually be stating or supporting much of anything except mere coincidence. If I am testing the correlation of ethnicity to perceptions of stability and there is a high p-value, this may imply that the statistics are merely “random noise” and that no relationship can be implied. To continue on assuming there is a relationship could thus prove disastrous for ensuing research. Thus, the p-values within my data are paid the utmost attention. In the statistical science community, a p-value of 0.05 and 0.01 are generally statistical thresholds for significance¹⁰⁸. Any p-value below the .05 level exhibits an actual relationship exists.

When implementing multiple regressions, the R-squared value is another important function. This value serves to indicate how much of the total relationship your studied variables represent. The closer to 1 the value is, the more of the relationship is being explained. Higher R-squared values indicate more control over other variables that could contribute to the relationship. If there is a strong correlation coefficient but a low R-squared value, your variables likely explain only a fraction of the entire relationship. It

¹⁰⁸ Kellstedt and Whitten, *The Fundamentals of Political Science Research*.

could be that there is another variable which exerts a stronger relationship on the outcome, or the initial variable studied is itself an effect of another variable. The R-squared value gains importance in my research when I test the effects each thematic focus has on the whole output of perceptions of stability.

Second, the main purpose of the quantitative research is indeed to uncover the correlations between chronological data. With the variables recoded to correct for missing values, I at first ran simple tabulations of each variable based according to the Afrobarometer round. The results were organized into a histogram to illustrate each value for a certain variable¹⁰⁹. Almost immediately, it is apparent that there are certain variables with a large difference in data between years. This proved for me to be positive evidence that the implementation of the Constitution at least had some effect on stability within Kenya. Thus, the main emphasis of this quantitative analysis was channeled through comparisons of the mean for each of the corresponding variables. The change in this mean would be a direct indication of the effect of the constitution, and if it was a positive or negative effect. Regressions would determine just how statistically significant these variables were as well.

Symptoms – Neopatrimonialism, Ethnic Politics, and Election Violence

Results

The change in mean data for Perceptions of Corruption of the President noted a slight decrease following the promulgation of the 2010 Constitution. This served to represent the symptom of neopatrimonialism, as corruption is often an indicator of patron-client relationships and political appointments. Views that one's own ethnic

¹⁰⁹ Appendix A

group is treated unfairly saw an even greater decrease with the implementation of the Constitution, perhaps marking a decline in ethnic politics as a whole. Perhaps most importantly too for policy makers in Kenya, the view of Political Party Competition Contributing to Violence also sharply declined over time. Due to the fact that the ordinal numbers range only from 0 to 3, a change in the mean of 0.2 is a very significant and large amount of change in perceptions. If the perception indicators were ranked on a scale of 0 to 10 or 0 to 100, this indication would be even more apparent.

Implications

The symptoms of neopatrimonialism, ethnic politics, and election violence all saw decreased values with the promulgation of the new constitution. As previously indicated, these values which are oftentimes looked at as causes of instability, are actually direct causes of other factors. Subsequently, these values should be the first to go with an increase of institutions if my hypothesis is correct. The fact that these values saw the strongest decrease following the promulgation of the constitution of all the variables studied correlates to this prediction. This specific analysis not only helps provide evidence that factors previously discussed as causes of instability within the Kenyan context are actually symptoms, but further assists in supporting that the Constitution itself, being a strong institution, can effectively serve as a treatment for the conditions and improve them.

Essentially, part of my argument that ethnic politics, neopatrimonialism, and election violence arise from commitment problems is in-part supported. No other element of governance in Kenya shifted as much as Constitutional elements between the

studied periods. Thus, it becomes more apparent that these symptoms are directly treated by the prescription of a strong institution. This is very promising to those politicians who saw their popularity plummet following election violence. Whether or not they had previously taken advantage of these symptoms, it was the mobilization of the people and various organizations spurred by the violence which caused these politicians to seek an end to the madness in order to survive politically. In this sense, institutions seem to have finally become realized by Kenyan politicians as well as constituents as necessary for stability and a way out of the Kenyan system along with the inherent issues of stability.

Accountability and Institutions

Results

Interestingly, perceptions of accountability of parliament members actually decreased between the two datasets. In fact, the mean decreased a large amount, and the median itself also decreased one whole value. However, of important note here is the fact that the p-value of the variable *Q62A* is large, making the variable itself not statistically significant when correlated to perceptions of the strength of the Constitution. More alarming to these results however is the extremely large increase in the mean value for perceptions that the president ignores laws of the country. Again, an important consideration here is that the 2011 variable for perception of the president ignoring laws of the country also mentions perceptions of ignoring the courts themselves, which the 2007 data makes no mention of. Thus, these variables are not entirely a replication of one another.

Implications

While these results seem to contradict findings of the previous section, it is important to realize the context of these variables. It is true that perceptions of accountability of parliament members did regress significantly. However, the actual p-value, statistically is not significant. There is another issue with the perception of the president's ignorance of laws within the country as well. The fact is, the Constitution introduced new laws which had never been experienced by the president or the citizens of Kenya for that matter. It is not unusual that there be a period of transition and ensuing confusion in which the president must adapt his policies to fall in line with the Constitution. This transition period for citizens is also a time in which they must be educated about the contents of the Constitution. There is no doubt confusion as to what the president can and can't do legally as the constituents educate themselves.

These variables indeed do little to support my hypothesis. However, I believe that as the transition period comes to an end, there will be better education and practice by both the executive and the citizens of Kenya. Thus, if the Constitution is actually successful, there should be a positive effect on accountability and a decrease in perceptions of institutional manipulation. If this is the case, this will serve to anchor Kenya's stability by causing politicians to rely further on accountability for political survival, as they will depend on democratic support rather than symptoms such as ethnic politics or consolidated power. As noted by Mutua and Akech, this scenario will allow the Constitution to become self-enforcing, a situation in which democracy will flourish.

Treating the Ailment of Commitment Problems

Results

For the studied variables related to the category of commitment problems, variables related to trust of both the ruling party and the president were correlated to find the difference of means. Interestingly, there is a very slight decrease in trust of the ruling party, indicating that potentially the ability of this party to credibly commit has in fact decreased. However, while the president remained the same throughout this period, the party-in-power reorganized, shifting from NARC to PNU coalitions, as previously noted. This shift in organization of the party-in-power detracts from the legitimacy of this variable, although it is still useful to understand. The president during this period, however, remained the same. Trust in the president (Mwai Kibaki) indeed increased during this period. Since commitment problems often arise from the top-down in the Kenyan system, this is a positive indication that the Constitution has indeed controlled for commitment issues.

Implications

I place less importance on trust of the ruling party in my analysis because of the transient nature of Kenyan parties. This variable, while seemingly very effective at gauging fears and commitment problems in a democracy, is less applicable to Kenya due to the nature of parties and coalitions. If parties become more cemented into the state and remain stable, then I believe this variable will also see an increase in trust of the ruling party, even by minorities and out-groups. A better variable may have focused more along the lines of not the ruling party, but the ruling elites or ruling consensus. The language of the question itself is rather problematic for this case.

The president, however, is a person who remained in power during both of these conducted surveys. There is an increase in trust of the president. This provides support that the commitment problems associated within the Kenyan context are abated with the Constitution. Throughout Kenya's history, there was generally a lack of trust in the executive, as only those of the in-group were provided for. This trend suggests that either the president himself is more transparent in his actions, which detract from commitment issues, or that he is becoming more accountable to out-groups, which again treats the commitment problem. Either way, this variable indicates that indeed the Constitution has served to alleviate the commitment issues in Kenya and also the symptoms of this scenario. Throughout the history of Kenya, commitment problems have always generated from the executive and elites at the top. Thus, if these issues are alleviated at the top, then there should be a top-down effect which spreads to the rest of the branches of government, heralding in more democracy throughout the government of Kenya. This again is promising for stability within the nation.

The Constitution's Ultimate Effect on Democracy and Stability within Kenya

Results

When comparing the variable for actual perceptions of democracy by the citizens of Kenya, there is a very strong positive increase in the mean following the promulgation of the 2010 Kenyan Constitution. Additionally, the median itself also increases, with the majority of perceptions changing from not very satisfied to fairly satisfied. This threshold of increasing from the value of 2 to 3 is perhaps most important to this variable. The point in between these variables is the determinant between negative and positive

perceptions of democracy. Thus, the Constitution itself seems to increase overall perceptions of democracy from negative to positive.

More telling is the correlation between *Q8IC_KEN*, satisfaction with implementation of the Constitution, and perceptions of democracy in the 2011 data. When a bivariate regression is run, there is a very strong coefficient between the two (0.2323). Additionally, the correlation is statistically significant, even at the .01 level. Ultimately, the stronger a Kenyan perceives the 2010 Constitution, the stronger they perceive democracy within the nation. When multiple regressions were ran of all the variables of the 2011 data set, the R^2 value indicated that a large portion of the relationship was indeed illustrated by these models as well.

Implications

Both difference of means testing and bivariate regressions indicate that the 2010 Constitution has increased perceptions of democracy in Kenya. Additionally, these variables note that as perceptions of the strength of the Constitution increase, so too do perceptions of stability. Drawing again on discussions by Mutua and Akech, these conditions are favorable to democracy. The Constitution already provides for checks in power and institutions which abate commitment issues. In order to become self-enforcing and further prevent attempts by elites to manipulate institutions, the Constitution must rely on the will of Kenyans. If Kenyans believe in it as an institution, elites must uphold the rule of law in order to maintain political support and survival.

Chronological and bivariate testing both support my hypothesis that the promulgation of the 2010 Constitution of Kenya has increased stability and perceptions of democracy within the nation. This has been attained by abating the commitment issues regarding the elites and ruling party's lack of credible commitment to out-groups. Before, these elites were not accountable to these minority groups because they could simply manipulate ethnicity or patron-client relationships to consolidate power and maintain authority. However, as institutions increased, these outlets became less and less viable. This was already seen to a very small extent in 1992 when neopatrimonial relationships no longer were as beneficial as previous, leading to further reliance upon ethnic politics. As ethnicity and neopatrimonialism become less and less powerful, out-groups no longer need to mobilize out of fear against the party in power. The Constitution indeed has decreased commitment issues and the need for out-groups to consolidate against the ruling party along lines of ethnicity. Thus, this in-turn further alleviates commitment issues. Ultimately, the symptoms of commitment problems themselves, being neopatrimonialism, ethnic politics, and violence have themselves decreased as a direct cause of the Constitution.

The results serve as support in my hypothesis that the Constitution acts as a strong institution to abate commitment problems and the symptoms within. As a direct result of this treatment, perceptions of democracy and stability are seen to have a positive trend. The results ultimately also support that previously discussed factors of democratic instability within Kenya are actually symptoms of a much larger, broader relationship within the state regarding the credible commitment of the ruling party to out-groups. As this situation was inherited at independence, it took the drastic events of 2007 to mobilize

the population to demand more accountability and institutions. If this trend continues, the Constitution should become self-enforcing.

Conclusion and Remarks

The qualitative research and analysis of literature within scholastic analysis of my thesis indicated that there were perceived factors of instability within the state that were actually Symptoms. These symptoms were neopatrimonialism and ethnic politics. Expanding upon the scholars' analyses, I hypothesized that these three symptoms were direct outcomes of the relationship of commitment problems and institutions within governance. Commitment problems caused polarization and mobilization of out-groups, further causing the party-in-power to manipulate institutions to consolidate power and take advantage of neopatrimonialism and ethnic politics. The Constitution effectively serves to alleviate commitment problems by increasing institutions and forcing elites to become more accountable to out-groups. As long as the citizens perceive the Constitution to be strong and believe in its governance, these elites will continue to uphold its values and the Constitution will become self-enforcing.

By combining vast amounts of literature of the topic of instability in Kenya, I was able to present a situation which initially studied symptoms to uncover a situation on a broader context. Qualitative analysis uncovered the conditions of these relationships in order to explore how the Constitution served as treatment. This general knowledge then allowed me to apply my theoretical framework to the actual case of Kenya to test it. The tests indicated that my hypothesis is indeed supported and that the Constitution as an institution directly correlates to a decrease in commitment problems and increase in perceptions of democracy and in-turn stability. The evidence is supported by both qualitative and quantitative means, necessary to explore such a broad and complex relationship.

There are shortcomings within my thesis which I hope further research will answer for. These include the difficulty of quantifying perceptions of democracy and institutions, especially accountability and the transient nature of political parties. Ideally, a survey would be implemented which relates specifically to these categories in an unbiased manner specifically focused on the state of Kenyan politics as it is in contemporary society. Until then, quantitative research must rely on substituting variables which are similar to those being analyzed. Additionally, demographic statistics should be explored, such as related incidences of crime during elections with the region to note if there is a relationship with ethnicity. Unfortunately, this data was not available to me at the time of writing this thesis. Also, the promulgation provides a very short time-frame with which to view the effect of an institution on governance within Kenya. A more complete analysis would incorporate years of data focusing on various periods and comparing many different factors. If however, the factors I analyzed in this work maintain prominence in various studies and surveys, this shortcoming will intuitively be less problematic in future years.

If my hypothesis is correct, and the 2010 Constitution of Kenya does indeed decrease problems arising from the ruling party's ability to credibly commit, then the symptoms of this situation should be evidenced as being alleviated in contemporary society. Currently, the ongoing drama unfolding from the 2013 Kenyan elections prove to be an intriguing area of study in relating my results to a more practical use. The elections have, at the time of the conclusion of this thesis, remained relatively peaceful. There is very little violence related to elections¹¹⁰, correlating to my theoretical findings. While indeed there remain vocalized opinions based along the categorization of ethnicity,

¹¹⁰ "Uhuru Kenyatta Takes Early Lead as Kenyan Election Results Trickle In."

these have not resulted in violence. The only actual battleground seems to be social media websites such as Facebook and Twitter, although these verbal conflicts have not actually resulted in widespread hate crimes or violence targeting any one group. There are still fears, however, that these conflicts could soon erupt in the streets, and efforts have been put in place by the media to serve as watchdogs to themselves in order to curb any possibilities of the proliferation of hate speech¹¹¹

Perhaps more telling within the present situation in Kenya is the issue regarding claims of election mishaps and fraud. Raila Odinga, who has seemingly lost the elections as of the preliminary results, has made claims of faulty biometric voting systems and negligence regarding voting infrastructure. Though this situation seems to detract from my hypothesis that the Constitution has increased institutions (such as election systems and monitoring), the lack of mobilization through violence seems promising. In fact, complaints regarding results of the elections (in which Uhuru Kenyatta won, narrowly receiving the threshold of 50%+1 vote) lodged by Raila Odinga have themselves been sent to the Supreme Court via the Independent Electoral Boundaries Committee, a creation of the Constitution¹¹². The battles themselves are not being fought in the streets of Kenya through election violence, but in the courts and institutions provided for by the Constitution. This is telling of not only the constituents' beliefs in the 2010 Constitution, but the politicians themselves. Odinga's claims themselves also exhibit a shift in causality. In previous elections, claims by the loser were often based around intentional vote-rigging and intimidation. In the current situation, although these claims may be supposed indirectly, they relate more to the shortcomings of the voting institutions

¹¹¹ "The Demented Postings on Social Media Must Stop Before Blood Flows."

¹¹² "Poll Losers Turn Courts into New Battlegrounds."

themselves rather than the political elites. An argument based along the lines of institutional order and failure would logically only be proposed if Odinga had faith that it had potential to succeed. Thus, it appears, Odinga himself believes, at least somewhat, in the institutions surrounding the elections if he finds a grounds for termination of the outcome based on failures of these institutions. To put it simply, it seems that even political “losers” in the modern Kenyan context are buying in to strong institutions in place, so much so that they find negligence of these institutions as grounds for a run-off election.

As the situation in Kenya continues to unfold, more and more situations will occur which will be able to be applied to my hypothesis to determine correlation. If my hypothesis holds true, there will seemingly be not only decreased election violence, but decreased reliance and mobilization along ethnic politics. Eventually, if either Uhuru Kenyatta remains president or Raila Odinga is awarded presidency in a run-off, there should also be a decrease in neopatrimonial relationships and more inclusion in politics of out-groups. Also, the predicament of Uhuru Kenyatta and his upcoming trial in the International Criminal Court¹¹³ pose a potential problem to both commitment problems and institutions themselves. Only time will tell if the Constitution can maintain progress and serve as treatment to this situation. Ultimately, the promulgation of the 2010 Constitution and its increased perception by Kenyan citizens bodes well for democracy and stability within Kenya. While the transition to increased democracy will not occur overnight, there should be very visible effects following this period during the 2013 elections regardless of the results.

¹¹³ “Uhuru Kenyatta Takes Early Lead as Kenyan Election Results Trickle In.”

I hope these findings will provide an emphasis to further research this relationship in the scientific realm. In order to solve problems inherent within Kenyan democracy, it may not be viable to focus on solving an isolated cause of instability, as these are often part of a larger relationship. Instead, research may focus on putting an end to vicious commitment problems through the treatment of a constitution and strong institutions. This shift in problem-solving could be paramount to ending the cycle of ethnic violence, corruption, and other factors of instability within Kenya. Furthermore, I hope this research can be applied to other nations as well. Perhaps this situation not only occurs in Kenya, but in other nations as well, especially Africa, with its sudden influx of newly-independent nations during the 1960s. Further research must thus be applied to this field.

Ultimately, my research serves as re-interpretation of a situation which has long been studied in the realm of social science. It combines various symptoms and mechanisms of instability into one a broader relationship which may better explain the situation in Kenya. Ultimately, my research indeed supports that institutions such as constitutions can alleviate commitment problems and correlating symptoms within a state. I end my piece with a question to future researchers: What can be implemented within the state to garner popular support for institutions such as a constitution so that it does not need to rely on mobilizing events such as massive election-related violence and other conflicts?

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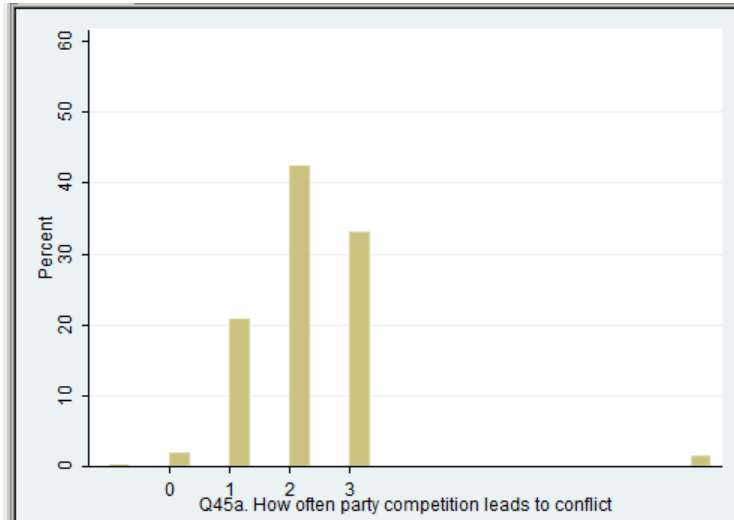
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Appendix A

. tab Q45A

Q45a. How often party competition leads to conflict	Freq.	Percent	Cum.
Missing	2	0.18	0.18
Never	22	1.99	2.17
Rarely	229	20.74	22.92
Often	469	42.48	65.40
Always	365	33.06	98.46
Don't know	17	1.54	100.00
Total	1,104	100.00	

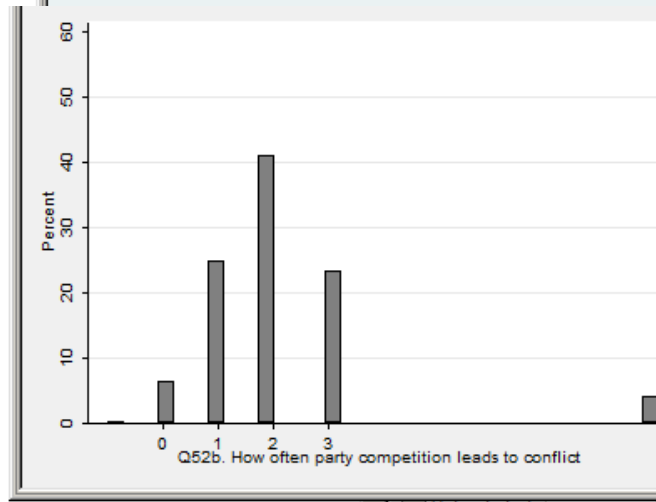
. hist Q45A, percent
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. tab Q52B

Q52b. How often party competition leads to conflict	Freq.	Percent	Cum.
Missing	4	0.17	0.17
Never	154	6.42	6.59
Rarely	599	24.97	31.55
Often	984	41.02	72.57
Always	560	23.34	95.91
Don't know	98	4.09	100.00
Total	2,399	100.00	

. hist Q52B, percent
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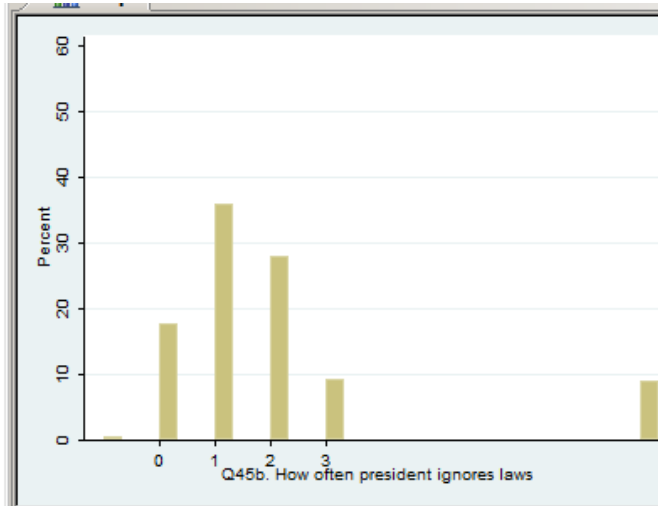


Appendix A

. tab Q45B

Q45b. How often president ignores laws	Freq.	Percent	Cum.
Missing	4	0.36	0.36
Never	195	17.66	18.03
Rarely	396	35.87	53.89
Often	309	27.99	81.88
Always	102	9.24	91.12
Don't know	98	8.88	100.00
Total	1,104	100.00	

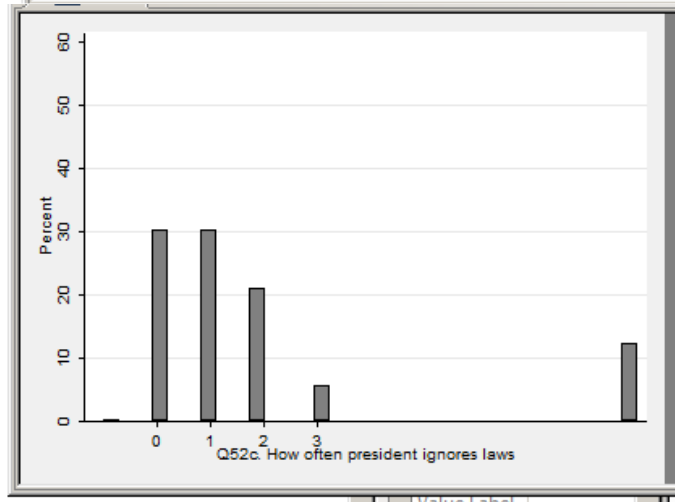
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(bin=30, start=-1, width=.3333333)



. tab Q52C

Q52c. How often president ignores laws	Freq.	Percent	Cum.
Missing	5	0.21	0.21
Never	729	30.39	30.60
Rarely	728	30.35	60.94
Often	503	20.97	81.91
Always	137	5.71	87.62
Don't know	297	12.38	100.00
Total	2,399	100.00	

. hist Q52C, percent
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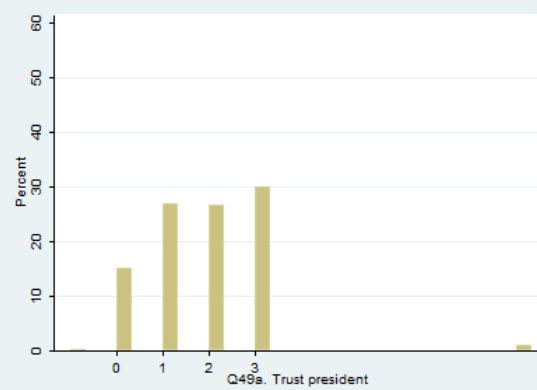


Appendix A

. tab Q49A

Q49a. Trust president	Freq.	Percent	Cum.
Missing	3	0.27	0.27
Not at all	167	15.13	15.40
Just a little	297	26.90	42.30
Somewhat	294	26.63	68.93
A lot	332	30.07	99.00
Don't know/Haven't heard enough	11	1.00	100.00
Total	1,104	100.00	

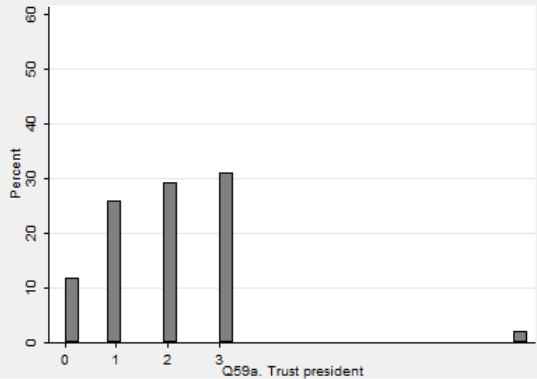
. hist Q49A, percent
(bin=30, start=-1, width=.3333333)



. tab Q59A

Q59a. Trust president	Freq.	Percent	Cum.
Not at all	280	11.67	11.67
Just a little	621	25.89	37.56
Somewhat	702	29.26	66.82
A lot	745	31.05	97.87
Don't know/Haven't heard enough	51	2.13	100.00
Total	2,399	100.00	

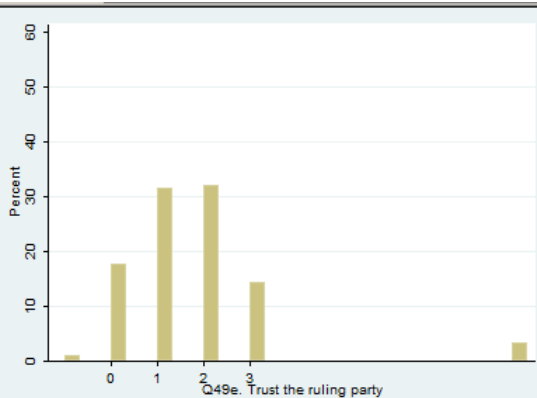
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. tab Q49E

Q49e. Trust the ruling party	Freq.	Percent	Cum.
Missing	10	0.91	0.91
Not at all	195	17.66	18.57
Just a little	350	31.70	50.27
Somewhat	353	31.97	82.25
A lot	159	14.40	96.65
Don't know/Haven't heard enough	37	3.35	100.00
Total	1,104	100.00	

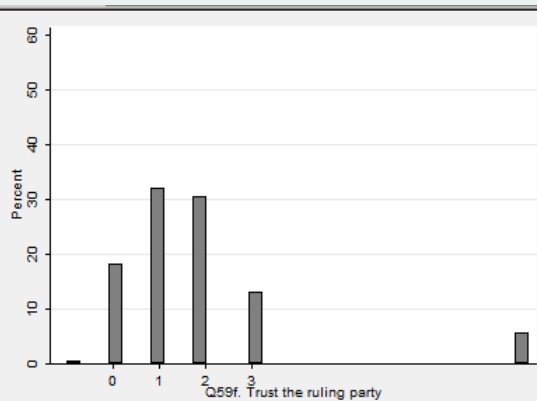
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. tab Q59F

Q59f. Trust the ruling party	Freq.	Percent	Cum.
Missing	13	0.54	0.54
Not at all	437	18.22	18.76
Just a little	768	32.01	50.77
Somewhat	732	30.51	81.28
A lot	315	13.13	94.41
Don't know/Haven't heard enough	134	5.59	100.00
Total	2,399	100.00	

. hist Q59F, percent
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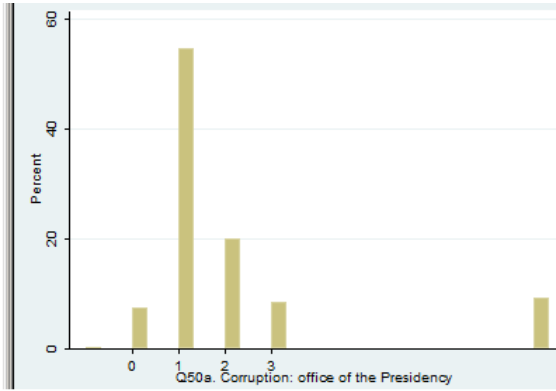


Appendix A

. tab Q50A

Q50a. Corruption: office of the Presidency	Freq.	Percent	Cum.
Missing	1	0.09	0.09
None	83	7.52	7.61
Some of them	604	54.71	62.32
Most of them	221	20.02	82.34
All of them	92	8.33	90.67
Don't Know/Haven't heard enough	103	9.33	100.00
Total	1,104	100.00	

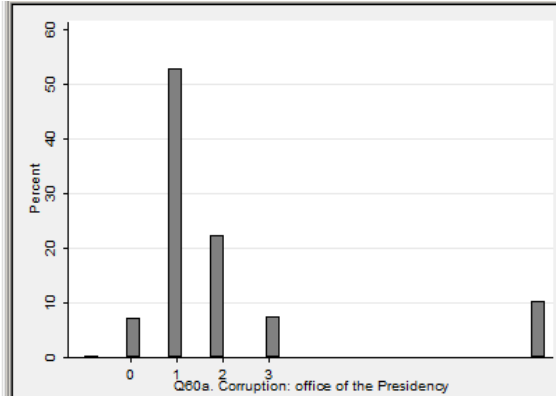
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. tab Q60A

Q60a. Corruption: office of the Presidency	Freq.	Percent	Cum.
Missing	1	0.04	0.04
None	174	7.25	7.29
Some of them	1,270	52.94	60.23
Most of them	533	22.22	82.45
All of them	178	7.42	89.87
Don't Know/Haven't heard enough	243	10.13	100.00
Total	2,399	100.00	

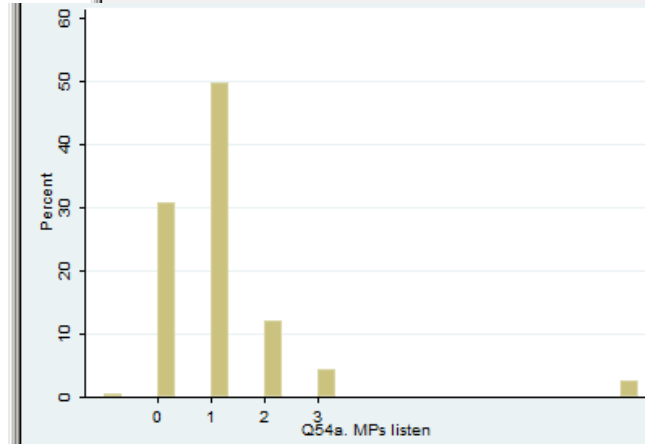
. hist Q60A, percent
(bin=33, start=-1, width=.3030303)



. tab Q54A

Q54a. MPs listen	Freq.	Percent	Cum.
Missing	4	0.36	0.36
Never	339	30.71	31.07
Only sometimes	550	49.82	80.89
Often	133	12.05	92.93
Always	49	4.44	97.37
Don't know	29	2.63	100.00
Total	1,104	100.00	

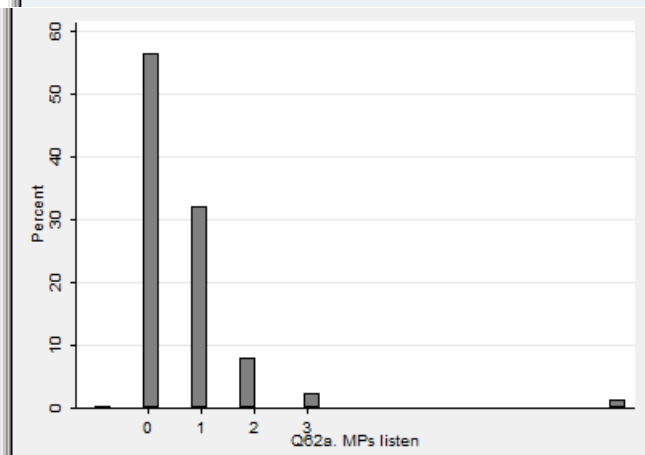
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(bin=30, start=-1, width=.3333333)



. tab Q62A

Q62a. MPs listen	Freq.	Percent	Cum.
Missing	1	0.04	0.04
Never	1,353	56.40	56.44
Only sometimes	770	32.10	88.54
Often	193	8.05	96.58
Always	54	2.25	98.83
Don't know	28	1.17	100.00
Total	2,399	100.00	

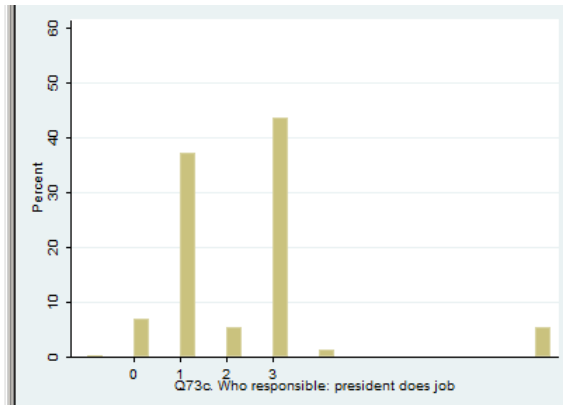
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Appendix A

. tab Q73C

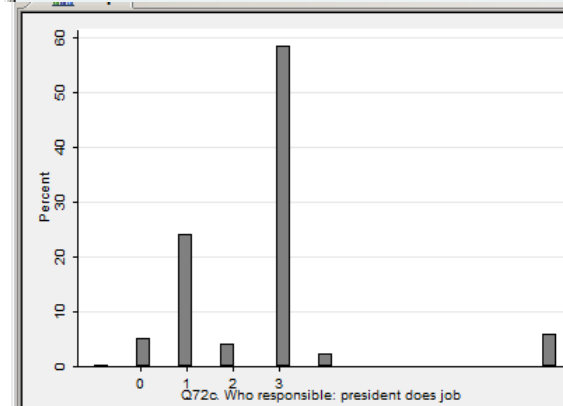
Q73c. Who responsible: president does job	Freq.	Percent	Cum.
Missing	3	0.27	0.27
The president/executive	76	6.88	7.16
The parliament/local council	410	37.14	44.29
Their political party	60	5.43	49.73
The voters	482	43.66	93.39
No one	15	1.36	94.75
Don't know	58	5.25	100.00
Total	1,104	100.00	



. hist Q73C, percent
(bin=30, start=-1, width=.3333333)

. tab Q72C

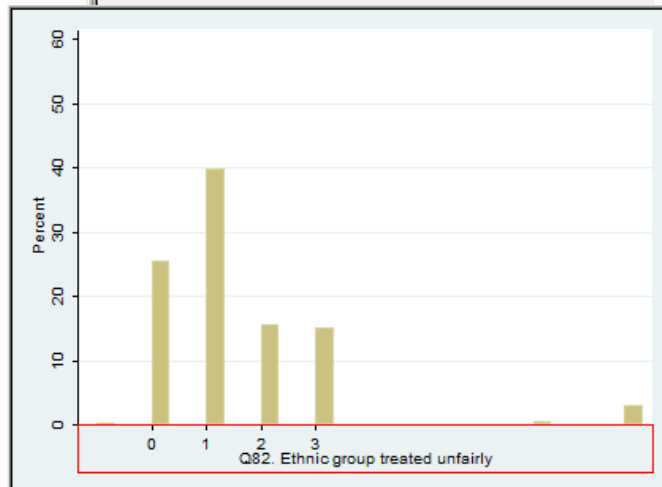
Q72c. Who responsible: president does job	Freq.	Percent	Cum.
Missing	4	0.17	0.17
The president/executive	121	5.04	5.21
The parliament/local council	577	24.05	29.26
Their political party	97	4.04	33.31
The voters	1,408	58.69	92.00
No one	54	2.25	94.25
Don't know	138	5.75	100.00
Total	2,399	100.00	



. hist Q72C, percent
(bin=33, start=-1, width=.3030303)

. tab Q82

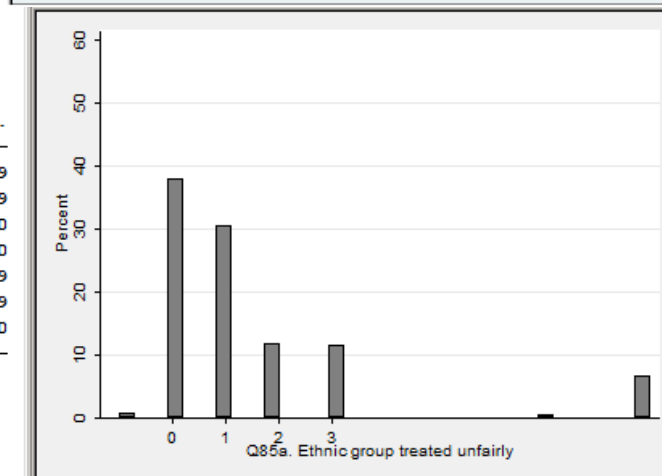
Q82. Ethnic group treated unfairly	Freq.	Percent	Cum.
Missing	4	0.36	0.36
Never	280	25.36	25.72
Sometimes	440	39.86	65.58
Often	173	15.67	81.25
Always	168	15.22	96.47
Not applicable	7	0.63	97.10
Don't know	32	2.90	100.00
Total	1,104	100.00	



. hist Q82, percent
(bin=30, start=-1, width=.3333333)

tab Q85A

Q85a. Ethnic group treated unfairly	Freq.	Percent	Cum.
Missing	19	0.79	0.79
Never	914	38.10	38.89
Sometimes	732	30.51	69.40
Often	283	11.80	81.20
Always	278	11.59	92.79
Not applicable	12	0.50	93.29
Don't know	161	6.71	100.00
Total	2,399	100.00	

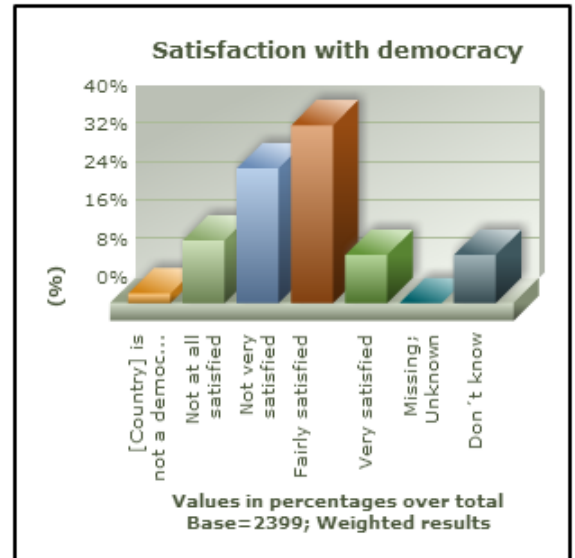


. hist Q85A, percent
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Appendix A

Kenya Satisfaction with Democracy (Q43) Round 4 -2007¹¹⁴

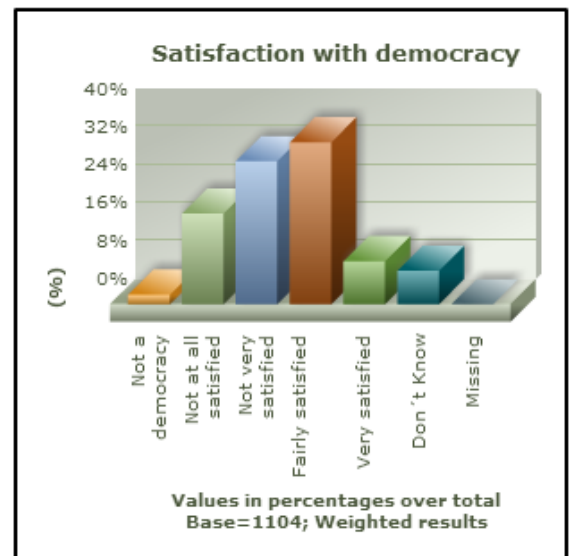
Base=2399; Weighted results	Number of cases	%/Total	%Acum / Total	%/(Total-DK/NA)	%Acum / (Total-DK/NA)
[Country] is not a democracy	45	2%	2%	2%	2%
Not at all satisfied	303	13%	14%	14%	16%
Not very satisfied	672	28%	43%	31%	47%
Fairly satisfied	896	37%	80%	42%	89%
Very satisfied	237	10%	90%	11%	100%
Missing; Unknown	0	0%	90%		
Don't know	246	10%	100%		
Total	2,399	100%		2,152 (100%)	100%



Selected samples: Kenya 2011 (Base=2399; Weighted results)

Kenya Satisfaction with Democracy (Q43) Round 5 -2011

Base=1104; Weighted results	Number of cases	%/Total	%Acum / Total	%/(Total-DK/NA)	%Acum / (Total-DK/NA)
Not a democracy	18	2%	2%	2%	2%
Not at all satisfied	213	19%	21%	21%	22%
Not very satisfied	332	30%	51%	32%	55%
Fairly satisfied	371	34%	85%	36%	91%
Very satisfied	97	9%	93%	9%	100%
Don't Know	72	7%	100%		
Missing	1	0%	100%		
Total	1,104	100%		1,031 (100%)	100%



Selected samples: Kenya (Base=1104; Weighted results)

¹¹⁴ Afrobarometer Data Analysis - <http://www.afrobarometer-online-analysis.com/aj/AJBrowerAB.jsp>

Appendix A

. tab Q81AA_KEN Q81C_KEN

Q81aa-ken. Since promulgatio n of the new constitutio n, appointment s to public	Q81c-ken. Satisfaction with implementation of the Kenya constitution of 2010						Total
	Missing	Not at al	Not very	Fairly sa	Very sati	Do not kn	
Missing	0	0	0	1	0	1	2
Much worse	0	5	3	7	5	2	22
Worse	0	26	66	55	18	5	170
Same	1	39	147	155	72	2	416
Better	3	41	241	679	250	18	1,232
Much better	1	15	46	107	62	1	232
Don't know	1	38	76	81	39	90	325
Total	6	164	579	1,085	446	119	2,399

. reg Q81AA_KEN Q81C_KEN

Source	SS	df	MS	Number of obs = 2399	
Model	836.908925	1	836.908925	F(1, 2397) =	238.08
Residual	8426.14818	2397	3.51528919	Prob > F =	0.0000
				R-squared =	0.0903
				Adj R-squared =	0.0900
Total	9263.05711	2398	3.86282615	Root MSE =	1.8749

Q81AA_KEN	Coef.	Std. Err.	t	P> t	[95% Conf. Interval]	
Q81C_KEN	.3722644	.0241264	15.43	0.000	.3249536	.4195752
_cons	3.274933	.0839212	39.02	0.000	3.110368	3.439499

. reg Q81C_KEN Q43

Source	SS	df	MS	Number of obs = 2085	
Model	98.0483885	1	98.0483885	F(1, 2083) =	157.57
Residual	1296.15113	2083	.622252104	Prob > F =	0.0000
				R-squared =	0.0703
				Adj R-squared =	0.0699
Total	1394.19952	2084	.669001689	Root MSE =	.78883

Q81C_KEN	Coef.	Std. Err.	t	P> t	[95% Conf. Interval]	
Q43	.2323266	.0185081	12.55	0.000	.1960303	.2686229
_cons	2.235362	.048149	46.43	0.000	2.140937	2.329788

Appendix A

. reg Q81C_KEN Q81AA_KEN Q60A Q85A Q59F Q59A Q62A Q43 Q52B

Source	SS	df	MS	Number of obs =	1570
Model	119.200905	8	14.9001131	F(8, 1561) =	26.68
Residual	871.729669	1561	.558443093	Prob > F =	0.0000
				R-squared =	0.1203
				Adj R-squared =	0.1158
Total	990.930573	1569	.631568243	Root MSE =	.74729

Q81C_KEN	Coef.	Std. Err.	t	P> t	[95% Conf. Interval]	
Q81AA_KEN	.1681662	.0242718	6.93	0.000	.1205573	.215775
Q60A	.0200035	.0272419	0.73	0.463	-.0334312	.0734381
Q85A	-.0293719	.0195548	-1.50	0.133	-.0677283	.0089844
Q59F	.0459471	.022346	2.06	0.040	.0021157	.0897785
Q59A	-.0078726	.0212158	-0.37	0.711	-.0494872	.0337419
Q62A	.0147029	.0265085	0.55	0.579	-.0372931	.0666989
Q43	.2092775	.0216689	9.66	0.000	.1667744	.2517806
Q52B	-.0989354	.0224939	-4.40	0.000	-.1430569	-.0548139
_cons	1.82669	.1264304	14.45	0.000	1.578698	2.074681

Appendix B

	Round 4, 2007			Promulgation of the Constitution	Round 5, 2011			Results
	Variable	Median	Mean		Variable	Median	Mean	Change in Mean
Perceptions of Corruption of the President	Q50A	1	1.3220		Q60A	1	1.3318	-0.0098 (less corruption)
Ethnic Group Treated Unfairly	Q82	1	1.2158		Q85A	1	0.9660	-0.2498 (decrease in ethnic politics)
Political Party Competition and Violence	Q45A	2	2.0848		Q52B	2	1.8489	-0.2359 (decrease in political violence)
How Often Members of Parliament Listen	Q54A	1	0.8992		Q62A	0	0.5561	-0.3431 (decreased accountability)
President Ignores Laws	Q45B	1	1.3174		Q52C	1	2.0063	+0.6889 (increased presidential manipulation)
Trust of the Ruling Party	Q49E	1	1.4503		Q59F	1	1.4107	-0.0396 (decreased trust of the ruling party)
Trust of the President	Q49A	2	1.7257		Q59A	2	1.8143	+0.0886 (Increased trust of the President)
Perceptions of Democracy	Q43	2	2.3107		Q43	3	2.4264	+0.1157 (Increased perception of democracy)