

POST ELECTORAL VIOLENCE - Kenya

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BACKGROUND & INTRODUCTION

Kenya was for many years considered one of the most stable countries in the East Africa and the Great Lakes region, acting as the peace broker in the region and being lauded as a good example of maturing democracies in Africa. However, it suffered severe breakdown of peace and nearly went into civil war after the 27th December, 2007 general elections in which over 1,200 lost their lives, tens of thousands were injured and more than 300,000 people were displaced from their homes

. Kenya holds its elections every five years and this was the fourth since multi-party elections of 1992. The voter turnout in this election was a record high. Prior to the 2002 general elections Kenyans had expressed a need to change the constitution to address problems such as excess powers vested on the Presidency among others. This desire for change was largely driven by the determination of the citizens to prevent recurrence of autocratic and dictatorial regimes of the past. It was therefore, on this reform platform that the National Rainbow Coalition (NARC) party campaigned and came to power in 2002.

Within a year of election of the new political leaders, differences emerged between those who remained faithful to the reform agenda, and those who after ascending to power, were now thought to prefer the status quo. As the emerging cracks widened, the country was called to a national referendum so as to decide on the kind of constitution preferred. This constitutional referendum was held on 21st November, 2005. The main issues to be addressed included the Executive authority, which was considered excessive, religious courts and the land reform issues among others.

A 58% majority voted down the constitutional referendum. Not only did this cause a rift in the then ruling party but spurred violence between 'YES' and 'NO' supporters greatly dividing the government and nation. Though the voting process was peaceful, nine people were reported dead during the campaign period. The 'NO' camp had campaigned against the government arguing that a loss during the referendum meant the government had in essence lost its mandate to rule. It was claimed that the new government had resumed the evils of the past such as discrimination in the distribution of prime governmental posts among various communities that were sympathetic to the President, the inequitable distribution of resources among other injustices. The poll results for the referendum showed overwhelming support from Central province (93.2%) which is President Kibaki's stronghold and overwhelming rejection from areas such as Nyanza (87.8%). (Table 1.)²

Table 1: Voting Pattern per province at the Nov. 2005 Constitutional Referendum

Province	Registered Voters	Voter Turnout	% Voter Turnout	'YES' Vote	%	'NO' Vote	%
Central	1,795,277	1,097,613	61.1%	1,023,219	93.2%	74,394	6.8%
Coast	967,518	334,087	34.5%	64,432	19.3%	269,655	80.7%
Eastern	1,977,480	979,906	49.6%	485,282	49.5%	494,624	50.5%
Nairobi	961,295	373,414	38.8%	161,344	43.2%	212,070	56.8%
North Eastern	237,321	51,429	21.7%	12,401	24.1%	39,028	75.9%
Nyanza	1,664,401	936,265	56.3%	114,077	12.2%	822,188	87.8%
Rift Valley	2,668,981	1,614,748	60.5%	395,943	24.5%	1,218,805	75.5%
Western	1,322,604	598,925	45.3%	240,582	40.2%	358,343	59.8%
TOTAL	11,594,877	6,081,395	52.4%	2,532,918	41.7%	3,548,477	58.3%

DECEMBER 27, 2007.

The December 27, 2007 election was very closely contested between the incumbent President Kibaki's *Party of National Unity (PNU)* and supporting parties against the opposition Raila Odinga's *Orange Democratic Movement (ODM)*. The voting process was largely peaceful. However, the announcement of the controversial results plunged the country into two and a half months of violence. The pre-electoral tension and anxiety that had gripped the country heightened by the delay in the results announcement, brought the long simmering tensions to the surface and later erupted into the unprecedented violence in most parts of the country.

In a country where 60% of the population lives on less than a dollar a day with a large portion of the youth unemployed, it was easy to plan and execute the violence which was also spontaneous in some cases and retaliatory in others, but still highly ethnic in general.

This study was undertaken to determine the circumstances and instruments used to kill or injure the victims of the post-electoral violence and covers the period from December 29, 2007 to March 30, 2008 countrywide.

METHODOLOGY

DATA SOURCE

The data presented in this study was collected from the two leading daily newspapers in Kenya, *The Nation* and *The Standard*.

Any report of injuries or death during this period was documented. As much information as was provided by the reports was extracted for further analysis. This information included names of victims, gender, date of the incidence, what part of the body was affected, geographical location of the incidence and in some cases what they doing at the time and who the perpetrators were.

Data was collected from *The Nation* and *The Standard* daily from December 29, 2007 to March 30, 2008. The papers were purchased at the office and augmented by those available at the Kenya National Library Services. The data was analyzed in a worksheet prepared in Microsoft Excel.

We also did a comparison of our data with that from other organizations with independent sources such as The Red Cross, Independent Medico-Legal Unit (IMLU), Human Rights Watch Group, The Kenya National Commission on Human Rights and the Government of Kenya sources.

RESULTS AND DISCUSSION

INJURY AND DEATH BY DATA SOURCE

A total of 2057 cases were reported by both newspapers. 1248 (61%) deaths and 809 (39%) injuries. 1065 cases (52%) of the data was reported by *The Nation* and 992 cases (48%) by *The Standard*.

Table 2.

Deaths

The Nation reported 595 (48%) of total deaths while *The Standard* reported 653 (52%) cases.

Gunshots caused the highest number of deaths with 372 (30%) cases reported. One hundred and twenty four (10%) of the deaths were caused by arrows, 137 (11%) by fire, 67 (5%) by machete wounds, 50 (4%) were stoned to death, 123 (10%) died from other causes while 375 (30%) cases did not state the weapon causing death.

Injuries

The Nation reported 470 (58%) of injury cases while *The Standard* reported 339 (42%).

Of the specified causes of injury, gunshots caused the highest number of injuries with two hundred and forty two (30%) cases reported. Twenty one (3%) of these injuries were caused by arrows, 20 (2%) by fire, 82 (10%) by machete wounds, 16 (2%) from stoning and 30 (4%) by other causes. The cause of injury in 398 (49%) cases was not indicated.

INJURY AND DEATH BY GEOGRAPHICAL LOCATION

INJURY AND DEATH BY GENDER

The victim's gender was reported in only 142 (7 %) cases of total data collected.

Twenty six (18%) of these were female; 17 (65%) reported dead and 9 (35%) injured.

One hundred and sixteen (82%) were male; 84 (72%) of these were reported dead while 32 (28%) were reported injured.

Deaths

The highest number of deaths by gender was caused by firearms. Of the 55 (54%); 10 (18%) were female while 45 (82%) were male.

Arrows caused the deaths of 6 (6%) people. All 6 (100%) were male with no cases of females killed by arrows reported.

Six (6%) of the people were killed by fire; 4 (67%) were female and 2 (33%) male. Machetes accounted for 10 (10%) deaths; 1 (10%) female and 9 (90%) male. Four (4%) were stoned to death. All were male with no female reportedly stoned to death. Eight (8%) cases of death were caused by other causes; 1 (12%) were female and 7 (88%) male. Twelve 12 (12%) deaths were caused by unspecified weapons; 1(8%) was female and 11 (92%) were male. [Table 4a.](#)

Injuries

Firearms caused the highest number of injuries by gender with 27 (66%) cases reported; 3 (11%) of these were female and 24 (89%) were male.

Five (12%) of injuries were caused by machetes; 4 (80%) of these were female and 1 (20%) male. One (2%) was stoned and injured. He was male. No females were reported injured from stoning.

Other causes caused the injury of 2 (5%) others. They were all male. Six (15%) were injured by unspecified weapons and included 2 (33%) females and 4 (67%) males. None were reported injured by fire or arrows. [Table 4b.](#)

INJURY AND DEATH BY AGE

Both newspapers reported the ages of 44 (2%) cases. Of these, 25 (57%) were aged below 18 years, 13 (26%) between 18 years and 40 years while 6 (14%) were aged above 40 years. 16 (36%) were female, 26 (59%) male and 2 (5%), though age was indicated, the gender was not specified. [Table 5.](#)

The youngest death case reported was an 8 months old baby girl who was trampled to death in Nairobi while the oldest was an 82 year old woman who was hacked to death in [Borabu](#). The youngest case of injury was a 2 ½ year old boy who suffered gunshot injuries in Mombasa and the oldest was a 68 year old woman whose injuries were caused by machetes in [Maella](#).

Deaths

There were thirty deaths for which age of the victim was stated. Of these 13 (43%) were female, 15 (50%) male and 2 (7%) gender was not stated.

Fifteen (50%) of them were aged below 18 years; 8 (53%) females, 5 (33%) males and 2 (13%) of unspecified gender.

Ten (33%) were aged between 18 years and 40 years; 2 (20%) were female while 8 (80%) were male.

Five (17%) were aged over 40 years; 3 (60%) were female while 2 (40 %) were male.

Injuries

There were fourteen cases of injuries for which age was specified. Of these 3 (21%) were female and 11 (79%) male.

10 (71%) were below 18 years with 2 (20%) being female and 8 (80%) male.

3 (21%) were aged between 18 years and 40 years. All reported cases were male.

1 (7%) was over 40 years of age and was female.

WOMEN AND CHILDREN

In every conflict situation, women and children are disproportionately affected. This could be attributed to a combination of several factors including individual, biological, psychological, social, economic and political among others.

In our study, forty of the total cases stated that the victim was either a child aged 18 years and below or were female. Of these children represented 26 (65%) cases while adult female cases were 14 (35%).

CHILDREN

Of the children cases reported, there were 11 (42%) females, 13 (50%) males and 2 (8%) of unspecified gender. Of the females 2 (18%) were assaults and 9 (82%) were reported dead. Eight (62%) males were assaulted while 5 (38%) were killed. The two of unspecified gender were both reported dead.

Firearms killed nine children. Of these 4 (44%) were female and 5 (56%) male. Nine more children were assaulted by firearms; 1 (11%) female and 8 (89%) were male.

Two children were killed with machetes. They were both of unspecified gender. One female child was assaulted with machetes.

Fire on the other hand killed four children all female while one more female died of other causes.

Table

WOMEN

Of the adult females, 7 (50%) were assaulted while the other 7 (50%) were reported dead.

Five were killed by firearms while two were assaulted with the same. Machetes killed one woman while three were assaulted by the same. Two women died of unspecified causes while two others were assaulted with unstated weapons. **Table**

Table 2: Number of reported deaths and injuries per newspaper and distribution of weapon used.

(n=2057)

Cause of Death/Injury	The Nation				The Standard				Total			
	Deaths	%	Injuries	%	Deaths	%	Injuries	%	Deaths	%	Injuries	%
Arrows	38	6	6	1	86	13	15	4	124	10	21	3
Fire	94	16	20	4	43	7	0	0	137	11	20	2
Gunshot	138	23	135	29	234	36	107	32	372	30	242	30
Machete	58	10	65	14	9	1	17	5	67	5	82	10
Stoned	5	1	0	0	45	7	16	5	50	4	16	2
Others	114	19	18	4	9	1	12	4	123	10	30	4
Unspecified	148	25	226	48	227	35	172	51	375	30	398	49
Total	595	100	470	100	653	100	339	100	1248	100	809	100

Table 4a: Weapon of murder by gender

(n=101)

	Females	%	Males	%	Total	%
Arrows	0	0	6	6	6	6
Fire	4	4	2	2	6	6
Gunshot	10	10	45	45	55	54
Machete	1	1	9	9	10	10
Stoned	0	0	4	4	4	4
Others	1	1	7	7	8	8
Unspecified	1	1	11	11	12	12
Total	17	17	84	83	101	100

Table 4b: Weapons used in assault by gender (n=41)

	Females	%	Males	%	Total	%
Arrows	0	0	0	0	0	0
Fire	0	0	0	0	0	0
Gunshot	3	7	24	59	27	66
Machete	4	10	1	2	5	12
Stoned	0	0	1	2	1	2
Others	0	0	2	5	2	5
Unspecified	2	5	4	10	6	15
Total	9	22	32	78	41	100

Table 5: Number of reported deaths and assaults by age (n= 44)

	Females	%	Males	%	Unspecified	%	Total	%
Under 18 years								
Dead	8	53	5	33	2	13	15	50
Injured	2	20	8	80	0	0	10	71
Total	10		13		2		25	
18 yrs - 40 yrs								
Dead	2	20	8	80	0	0	10	33
Injured	0	0	3	100	0	0	3	21
Total	2		11		0		13	
Over 40 years								
Dead	3	60	2	40	0	0	5	17
Injured	1	100	0	0	0	0	1	7
Total	4		2		0		6	
Dead	13	43	15	50	2	7	30	100
Injured	3	21	11	79	0	0	14	100
Total	26		26		2		44	

MISSING DATA

Three papers were missing and hence not included in the study. These papers included The Nation on January 14, 2008 and February 12, 2008 and The Standard of March 30, 2008.

Limitations

Scarcity of information especially for the more specific analysis.

Duplication of reports

Reliability of newspaper data.