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**Title: Support or subvert? Assessing devolution's effect on central power during Kenya's 2017 presidential rerun**

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**Abstract**

Devolution introduced new local-level political offices in order to transform Kenyan politics by reducing the high stakes around the presidential race. The controversy over the 2017 presidential election rerun, however, saw pressure on county-level politicians to support either the ruling party or opposition coalition, underlining the important intersection between national and county politics. Using a broadened definition of 'political linkages', this paper explores the logics shaping how and why county-level politicians responded to the rerun as they did, comparing ruling party and opposition areas. Different forms of linkage politics indicate that devolution's effect on central power is not uniform across counties, challenging the view that devolution simply leads to a recentralisation of power. The reproduction of national partisan divides at the county level suggests that devolution's effect on central power is contingent partly on the way that national and county political alliances intersect. Given Kenya's fluid national electoral alliances, devolution's effect on central power is therefore not stable and may change with each electoral cycle.

**Key words:** Elections; constitutional and institutional reform; devolution; political linkage; Mombasa; Kisumu; Kenya

On 1 September 2017 the Kenyan Supreme Court nullified the 8 August presidential election in which the incumbent, President Uhuru Kenyatta, had been declared winner. In the following days, both the ruling Jubilee Party and the National Super Alliance (NASA)

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opposition coalition began preparing for the fresh elections. However, by early October, both parties' presidential candidates, Kenyatta and Raila Odinga, were at odds over what should happen. Kenyatta and his deputy William Ruto were mobilising for the vote to go ahead, emphasising the country's imperilled state without a stable presidency. NASA was rejecting the credibility of the Independent Electoral and Boundaries Commission (IEBC) and advocating for electoral reforms through street protests.<sup>1</sup> Significantly, this divide did not only occur at the level of national politics. During the period from the court ruling to the presidential rerun on 26 October, county-level politicians, many of whom had been elected to lower-level seats, were under pressure to mobilise support for a rerun or a boycott.<sup>2</sup> Odinga withdrew from the race on 10 October, but the rerun went ahead. Kenyatta received 98% of the vote share on a 39% turnout, low by Kenyan standards but respectably high for an effectively uncontested election.<sup>3</sup>

The 2017 election was the second to take place under Kenya's devolved constitution. Devolution was partly designed to 'transform Kenyan politics' by reducing the saliency of the presidential race around election times.<sup>4</sup> Devolving power to sub-national political units sought to reduce the attractions of the presidency such that the blow of 'losing nationally' would be softened by 'winning locally'.<sup>5</sup> However, the role of county-level politicians during the 2017 presidential poll suggests a more complex relationship between national and county politics. The rerun offers an opportunity to consider devolution's impact on the saliency of the presidency and on central power. During the rerun, no county-level politicians were on the ballots. Therefore, their roles in the rerun highlight the significance of the presidency absent county-level elections. Second, as Odinga withdrew and Kenyatta's win was assured, the rerun allows for a comparison of counties facing different political relationships with the centre. To understand why county-level politicians responded to the rerun as they did, this article uses the concept of 'political linkages', conventionally understood as how politicians

appeal to voters.<sup>6</sup> I complicate its use in two ways. First, I add a focus on the roles played by intermediary politicians in devolution's multi-layered political landscape.<sup>7</sup> Second, I go beyond clientelist linkages to explore alternative ways in which politicians seek to be seen as responsive to voters, especially in defending community interests.<sup>8</sup>

The positions county-level politicians took during the rerun were mainly refracted through allegiances that linked presidential and county campaigns during the election period ahead of the August vote. Campaigns for county-level races (governors, senators, women's representatives, members of parliament [MPs] and members of county assemblies [MCAs]) had typically been publicly affiliated with either the Jubilee or NASA presidential campaigns. After the court ruling, county-level politicians tended to either support Kenyatta and the rerun or align with Odinga and oppose it. This pattern was most obvious in the parties' respective strongholds: the former provinces of Central and much of Rift Valley for Jubilee, and Nyanza, Coast and parts of Western for NASA. Working on the assumption that Kenyatta would be declared winner again, the material benefits of aligning with the incumbents were prominent campaign messages in Jubilee-aligned counties. In NASA counties, the post-election links with Odinga's presidential campaign were less robust. First, lacking resources and popular enthusiasm for another campaign, many counties focused on forming their own governments, thus demonstrating how the devolution of power has drawn attention away from the presidential race. Second, however, in some NASA counties, county-level politicians played an active role in resisting the presidential rerun, mobilising on communal narratives of injustice. This paper will focus on Mombasa and Kisumu.<sup>9</sup>

Different linkage appeals indicate that devolution's effect on central power is not uniform. This article challenges the dominant view among Africanist scholars, expressed most clearly by Catherine Boone, that decentralisation leads to the recentralisation of power.

<sup>10</sup> Instead, it adds to the view that Kenya is a 'deviant' case in the African context.<sup>11</sup>

Jubilee's effective use of its county-level politicians demonstrates that devolution offers presidential incumbents opportunities to strengthen their position when national-county political interests align. However, in opposition counties, the fruits of genuine devolved power, along with the more active role of some county-level politicians to subvert the rerun, suggest that devolved offices can provide either autonomy from the political centre or a platform to challenge it directly. The reproduction of national partisan divides at the county level, however, suggests that devolution's effect on central power is contingent partly on the way that national and county political alliances intersect. Given Kenya's fluid national electoral alliances, devolution's effect on central power is therefore not stable and may change with each electoral cycle.

The empirical data here was collected over several months – from January 2017 to November 2017, and in June 2018. Interviews with Nairobi-based analysts, journalists and diplomats, along with my participation in an electoral observation mission, helped to build a nationwide picture of the presidential election campaigns and links with county-level races.<sup>12</sup> I correlated these insights with the media sources referenced in this article. More in-depth interviews were conducted in Mombasa and Kisumu with county-level politicians, grassroots campaigners, civil society actors and journalists. Respondents were often at the forefront of organising or participating in the resistance around the rerun, providing a granular view of what happened, and their interpretations of the reasons why. The article begins by discussing how political linkages are useful for understanding variation in county-level politicians' roles during the rerun. Their responses reveal diverse patterns of political mobilisation and highlight the differentiated effect of Kenya's decentralisation on central power. The article then moves to the empirical discussion. The first half focuses on the ways in which county-level politicians in Jubilee areas sought to mobilise the vote for the rerun. The second half takes a closer look at the opposition, and specifically why county-level politicians in

Mombasa and Kisumu played particular roles in resisting the rerun. The article ends by discussing devolution's effect on central power and presidential elections in Kenya.

### ***Political linkages and devolution***

A powerful executive presidency has been a defining feature of Kenya since independence. Since the return to multi-party politics in 1991, powers vested in the national executive have, at every election, encouraged winner-takes-all contests in the presidential race.<sup>13</sup> Consequently, elections in Kenya are times of considerable national stress and often marked by violence. The post-election violence of 2007-08 forced a political reckoning and widespread calls for the state's structure to be reformed to dilute centralised power.<sup>14</sup> The post-conflict settlement included a new constitution, passed by popular referendum in August 2010.<sup>15</sup> This constitution introduced one of the most significant transformations to Kenya's institutional geography: formal devolution of the state.<sup>16</sup> Forty-seven county governments replaced the local government system and created four new types of political office: governor, senator, women's representative and MCA, to join the existing offices of the president and MP.<sup>17</sup> Access to local political offices was intended to ensure that the presidency was not the only electoral prize. The relative lack of violence during the 2013 elections, the first under the new system, was seen, in part, to be a result of the local access to resources offered by the new offices.<sup>18</sup> However, four years later, the pressure on county-level politicians during the more controversial 2017 presidential election challenges the assumption that devolution's effect is simply to reduce competition for the central power vested in the presidency.

Scholars of decentralisation in sub-Saharan Africa are skeptical that such reforms curb central power. Many have argued that decentralisation is actually a form of recentralisation.<sup>19</sup> Boone's research finds that decentralisation is often a strategy to create the

appearance of devolving power while in reality strengthening the position of central elites. She argues that central regimes either seek to co-opt local elites for their own regime-building purposes ('elite capture') or ensure that any threatening local elites are usurped to make way for agents of the central state within their areas ('recentralisation').<sup>20</sup> Kenya has experienced an earlier form of decentralisation that fits this 'deconcentrated' logic. President Daniel arap Moi's District Focus for Rural Development scheme in 1982 intensified the centre's local power, particularly to undermine former President Jomo Kenyatta's allies.<sup>21</sup> In other ways, the country's political system has involved decentralised resources. For instance, the 2003 creation of the Constituency Development Fund by President Mwai Kibaki devolved 2.5% of national revenues for MPs to develop their constituencies, seeking to formalise the existing culture of *harambee* (self-help) schemes.<sup>22</sup> However, today's political and administrative devolution, is a far more substantial version of decentralisation. Its constitutional backing, combined with pressures on governors particularly to defend their political positions locally, suggest that Kenyan devolution's strength represents a 'deviant' case in the African context.<sup>23</sup> Focusing on the presidential rerun, this article adds to critiques of the recentralisation argument.

To explore why county-level politicians responded to the rerun as they did, this article uses – but also complicates – the concept of 'political linkages'. Linkages conventionally refer to the appeals used by politicians and/or political parties to build relations of accountability with voters. The most prominent classifications come from Herbert Kitschelt who separates linkages into three forms, while privileging the first two: public policies ('programmatic'), customised selective benefits to specific individuals and groups ('clientelist') and an individual's unique personal persuasion skills ('charismatic').<sup>24</sup> Various forms of clientelism are the dominant way in which linkages have been understood in studies of sub-Saharan Africa.<sup>25</sup> The specifics of clientelist linkages in Kenya appear most clearly in

the early work of Joel Barkan who argued that, through the MP position, popular conceptions of the role that elected representatives should play are ‘well-defined’: namely, to negotiate and extract *central* state resources for the benefit of local development.<sup>26</sup> MPs form clientelist linkages with citizens through promising selective material benefits, predominantly to co-ethnics, in exchange for political support. The distinctive feature is that, given the historic centralisation of resources, MPs have long been judged on their ability to be local patrons by linking their constituents to state funds held at the centre.<sup>27</sup> The MP position has tended to dominate understandings writ large of what is expected of Kenya’s elected representatives. The introduction of new political offices therefore offers a chance to broaden understandings of how politicians seek to connect to voters. First, devolution offers a robust and constitutionally-guaranteed mechanism for significant resources to be available locally, shifting the geographic parameters of clientelism. The governor’s office controls the majority of county funds. Second, however, partly given the historic centralisation of resources, the focus on strict clientelism alone has obscured other ways in which politicians seek to link with supporters, especially through defending the interests of marginalised communities. This article therefore uses the term ‘linkages’ but critiques its use by Kitschelt by including the ways – beyond the strict exchange or promise of material goods – in which politicians seek to present themselves as responsive local leaders.

Specifically, linkages are used to make sense of county-level politicians’ actions during the rerun period. This includes the linkage appeals made by politicians to citizens, but also expands the term to include linkages between politicians at different levels of the political landscape.<sup>28</sup> This is important because part of local politicians’ calculations in being seen as responsive to citizens ties with how they link with national politics, reflecting the older centrist logic. Under devolution in particular, county-level politicians (especially governors) are required to operate in two political arenas – county and national – both of



which connect to how they are viewed locally.<sup>29</sup> Elections are understandably the time at which linkages receive periodic renewal as politicians use strategies to convince citizens to vote for them.<sup>30</sup> However, during the rerun period, the elections were over for county-level politicians, complicating the basis on which we should understand linkages. A focus on the rerun allows for a broader understanding of election periods as both windows of opportunity and periods of vulnerability for politicians. In highly competitive political climates such as Kenya, the pressure on politicians to defend their right to hold elected office does not necessarily subside in the electoral aftermath. Post-election pressure on county-level politicians was particularly acute in 2017: the electoral commission judged as at fault in the presidential ballot had also administered county-level elections. However, the actions and rhetoric of county-level politicians reveal broader popular pressure on them to be seen as responsive to their local contexts during the rerun period. In highlighting the varying levels of importance placed on the presidential rerun by county-level politicians, and the different reasons why, the linkage framework helps to answer the larger question of the overall effect of devolution on the saliency of the presidency and the significance of the political centre.

### ***Mobilising the vote***

This section considers the linkage appeals in counties aligned with Jubilee and that supported efforts to hold the rerun. It begins by introducing the connections between the presidential and county-level races, explains how this encouraged certain patterns of political mobilisation locally, and analyses the effect on central power. Kenyatta's first term in office (March 2013-August 2017) had been marked by centralising practices that displayed a hostile attitude to the new system of devolved government.<sup>31</sup> However, at the outset of the 2017 election period, such concern appeared diluted as Jubilee sought to utilise county-level electoral races to campaign for Kenyatta's re-election. The effort to consolidate support for

Jubilee on county-level tickets appeared to reflect three top-down agendas: to win the presidency more comfortably compared to 2013 (when, according to official figures, Kenyatta won with only a 0.07% margin),<sup>32</sup> to avoid a repeat of the opposition's 2013 success at controlling the majority of county executives, and to help Ruto position allies lower down in Jubilee structures ahead of his planned 2022 presidential bid.<sup>33</sup> As such, Jubilee's presidential campaign ahead of 8 August included promises that the counties voting for Kenyatta, and the county-level politicians helping to deliver that result, would benefit from his incumbency, in terms of national government projects and appointed positions.<sup>34</sup> The benefits of alignment with the centre had influenced campaign messages and perceptions of county-level candidates, especially in gubernatorial races. This was especially apparent in Jubilee strongholds of former Central and Rift Valley provinces (home to ethnic communities from which Kenyatta and Ruto respectively hail). Anne Waiguru's successful bid for the Kirinyaga governorship, for example, was partly credited to perceptions of her ability to bring in wealth and investment given an allegedly close relationship with the president.<sup>35</sup> Similarly, the perceived ability of former cabinet secretary Francis Kimemia to bring development to Nyandarua county given his connections to State House was seen to help his governorship bid.<sup>36</sup> This is not to suggest that clientelist linkages connecting the local level to the national were the only form of political mobilisation among county-level politicians aligned with Jubilee. On the contrary, linkage formation for local-level elections is increasingly separate from the national sphere.<sup>37</sup> However, it remained a feature of local campaigning which meant that whether they had won or lost, county-level politicians in Jubilee's heartlands had campaigned for their own seats in August's election partly on the logic of being aligned with the national executive. A Kenyatta presidency suddenly in jeopardy, on the back of a court ruling declaring the electoral process inadequate, was not only a chance to show loyalty but also directly risked their ability to protect their own

positions in various ways. This included delivering on those local campaign promises and recouping crushing personal campaign costs, but also more literally given that the presidential court ruling had sparked a wave of electoral petitions against county-level races too.<sup>38</sup> Jubilee's relative success at linking its presidential race with county positions had given it many county-level allies that, for these reasons, were motivated to mobilise for the rerun.<sup>39</sup> Jubilee had won 25 out of 47 governor seats (compared to 18 in 2013), 25 senator seats, the control of 27 county assemblies and 163 (49%) of MP positions.

In the absence of county-level elections, campaigning was less intense compared to the August vote. However, given the polarised political context of the rerun, it was understood that turnout figures would frame the legitimacy of Kenyatta's last term in office. The most active effort to mobilise the vote came from the county-level politicians in Jubilee strongholds of Central and much of Rift Valley. Where they had them, Jubilee made MPs their main party agents rather than the former campaign teams.<sup>40</sup> The 'UhuRuto Express Team' that included sitting and former county-level politicians was re-mobilised to traverse multiple counties,<sup>41</sup> while the Murang'a governor Mwangi wa Iria started his own *Taifa La Jubilee* (Jubilee nation) initiative.<sup>42</sup> Continuing practices from the August election, public resources were used for campaigning.<sup>43</sup> For Kenyatta to have a chance at wider legitimacy, however, turnout needed to be geographically dispersed outside of the strongholds. Campaigning efforts in the 13 swing counties were therefore more illustrative of how the promises of nationally-linked incumbency benefits were spread.<sup>44</sup>

In swing counties, voter mobilisation focused on the material benefits of alignment with a national government that, as a community, there was no possibility of leading. Devolution's first term had created perceptions that the national government could undermine the operations of county governments aligned with the opposition. This was especially true for northern counties such as Marsabit where, despite the presidency's remoteness, county

elites took seriously the view that it was not worth being an ‘opposition county’ again.<sup>45</sup> In Turkana, the Jubilee campaign for the rerun was headed by former senator (and unsuccessful gubernatorial candidate) John Munyes. His message for the people of Turkana was that, as a marginalised county in need of development, it was too risky to be associated with the opposition.<sup>46</sup> His cabinet nomination in January 2018 rewarded his efforts. Interestingly, however, his logic was not dissimilar to the attitude of Turkana’s re-elected ODM governor Josphat Nanok, who, directly after the August elections had stated that the election process was over, and that Turkana’s residents should maintain peace to allow the county to work with the national government on implementing development projects.<sup>47</sup> In Bungoma, a county considered to be a NASA stronghold, national patronage rewards also motivated county-level politicians to mobilise the vote. The Jubilee campaign team there was headed by the former governor Ken Lusaka, who had defected to Jubilee ahead of the election and had in September been made Speaker of the Senate after losing his gubernatorial seat. The pressure to deliver Kenyatta ‘more than 250,000 votes’ during the rerun was seen as reciprocation for Lusaka’s important senate position.<sup>48</sup>

It is hard to see how Jubilee could have pulled off the controversial rerun without mobilisation by several county-level politicians, including those who had lost elections but been given appointed positions, and who potentially had much to lose with Kenyatta’s presidency in doubt. Even with some likely inflation of turnout figures, 39% overall still looked respectable given the context of a one-horse race. The highest turnout figures came from the strongholds of Central and Rift Valley (Murang’a, 85% and Elgeyo/Marakwet, 71%), but even in swing counties with large populations such as Kajiado (42%), Narok (38%) and Nyamira (32%), many people appeared to have voted. The use of sub-national political agents to mobilise the vote looks similar to how previous Kenyan presidents used MPs (along with the executive bureaucracy and civil servants) to campaign for re-election.<sup>49</sup>

However, the larger numbers of sub-national political players created by devolution offered Jubilee a greater set of allies who had campaigned partly on the basis of alignment with the national level. Although providing only a partial picture of political mobilisation, linkage appeals from politicians to citizens, and between local and national politicians, focused on the material benefits of alignment with the political centre. These circumstances suggest that, in some areas, devolution has the power to strengthen national incumbents, amplifying a dynamic of the previous political dispensation when MPs were the only (elected) sub-national political agents. These counties affirm the well-established view in the literature that decentralisation can be used to strengthen the political centre. It is for this reason that more in-depth treatment is given to the counties explored below providing evidence that devolution in Kenya is a ‘deviant’ case, given its power to challenge the centre. However, the comparison demonstrates the important point that decentralisation can create political units with varied effects on central power.

### *From apathy to resistance*

This section explores the different types of linkage appeals apparent in NASA-aligned counties that do not support the recentralisation thesis. It begins by introducing the connections between the presidential and county-level NASA races and then explores the forms of political mobilisation that this helped encourage. The NASA team’s presidential campaign had been less cohesively tied with party-affiliated county races compared to Jubilee. Fewer resources limited the open patronage promises that had characterised Jubilee’s campaign. Additionally, in contrast to Jubilee’s consolidation across down-ballot tickets, NASA was united only as an ethnic coalition for the presidential ticket.<sup>50</sup> This meant that at the county level, candidates from across NASA’s coalition parties competed against one another for elective posts.<sup>51</sup> County-level candidates’ public support for Odinga’s candidacy

ahead of the 8 August vote came from those running on affiliated NASA tickets, reflecting the logic of the ethnic coalition at the national level. Such support was therefore mainly geographically concentrated in the ‘home areas’ of the coalition’s four main co-principals: the former provinces of Nyanza and Western, most of the Coast, and Ukambani.<sup>52</sup> Given ethnic voting patterns, the presidential race tends to be fairly uncompetitive in much of the country. For the 2017 elections, only 13 out of 47 counties were considered to be swing.<sup>53</sup> However, unlike Jubilee, NASA had not campaigned heavily in many of these areas. Thus, support for Odinga from county-level candidates came mainly from counties where backing the preferred presidential candidate of most local voters was an obvious way to increase a candidates’ own legitimacy. In general, Jubilee’s campaign benefited from incumbency such that future patronage connected with the presidency was openly promised to county candidates if Kenyatta were to be re-elected. Apart from promising more resources for devolution, NASA’s messaging was far less explicit on the specific patronage rewards that would come from Odinga winning the presidency.

The implicit logic linking NASA’s presidential campaign with county races during the elections shifted somewhat following the August results. While as an opposition coalition, NASA had done less well overall compared to 2013, executive seats and county assemblies had been won by NASA’s constituent parties in their strongholds, with only two exceptions for the governor seat.<sup>54</sup> After the court annulled the presidential election, successful NASA county-level politicians were in the awkward position of having been elected to office, while also being asked to support national allies who were contesting the credibility of the entire electoral process. The primary thrust of NASA’s complaint was against the IEBC, which it did not trust as a neutral administrative body. NASA’s campaign had an anti-status quo message in the run-up to 8 August, but this took on a more concrete and effective framing of the need to tackle ‘electoral injustice’ following the court ruling. The

intention was to put the contested election of 2017 into an historical perspective that painted a picture of a mainly Kikuyu elite refusing to give up power and manipulating democratic processes to disenfranchise marginalised communities, especially Odinga's Luo co-ethnics. With limited resources to campaign again and little faith that demands for IEBC reforms would be met, NASA's strategy moved, unevenly, from seeking to mobilise voters, to calling for protests against IEBC, to demands for a boycott.<sup>55</sup> All NASA politicians were under pressure to participate in this two-staged national campaign, but there was significant local variation in response.

Before Odinga withdrew, there had been limited appetite in NASA areas to mobilise for another presidential election. The county elections had already shown that access to resources for campaigning did not depend on links to incumbency at the centre. Across Jubilee and NASA counties, there was little difference in the way that county incumbents – and their rivals – used or promised devolved resources in their own campaigns. This included the use of county vehicles, gaining political or financial support from those who had benefited from county tenders, making promises for future executive appointments, and committing to delivering local development projects.<sup>56</sup> Upon being elected, this frenetic local political environment placed immediate pressure on county-level politicians (especially governors) to deliver on their campaign promises. Following the August results, governors were being sworn in, county executives from former administrations were sent home, and political wrangling began around the election of county speakers.<sup>57</sup> The county campaigns highlight a devolved political culture that abuses public resources for electoral purposes.<sup>58</sup> However, the guaranteed availability of local resources suggests that, especially in counties which are not aligned with the national incumbents, linkage appeals on access to central resources do not play such a strong role. In many counties where the popular vote on 8 August went overwhelmingly to Odinga, the urgency to begin forming county governments

detracted from the national pressure to take part in the confrontation over the rerun, highlighting that devolution has brought about sub-national autonomy separate from central elites.<sup>59</sup>

While all NASA county-level politicians faced local pressures to focus on county business, it is important to explore why some counties in NASA strongholds nonetheless took on active roles in the national confrontation over the presidential rerun. The following sections look at Mombasa and Kisumu counties, where the role of county-level politicians highlight linkage appeals that go beyond explicit material resource benefits relying on ties with presidential incumbents. Instead, the rerun was used as a chance to be seen as defending community interests against a central state that had long marginalised local constituents. Such linkage appeals are not new in these areas but are significant because they show the potential for devolved structures to provide platforms for resistance politics.

*i) Mombasa: defending the coast*

As a county with a strong ODM following, local politicians in Mombasa were expected to play a key role in supporting NASA's resistance to the rerun. Particularly important was the role of Governor Ali Hassan Joho, who as deputy leader of ODM seeks to take over the national mantle of opposition leadership. Joho's political activities around the rerun were squarely focused on national politics rather than in Mombasa itself. Following the Supreme Court ruling, for instance, he immediately flew to Nairobi to stand alongside the NASA leadership at their first press conference praising this unprecedented decision. The national focus was consistent with Joho's gubernatorial re-election campaign. Once he had been cleared to run by the IEBC back in June, he had announced plans to leave Mombasa campaign activities to his 'ODM lieutenants' while he went 'around the country with Baba.'<sup>60</sup> Admittedly, this stance was made easier by a relatively uncompetitive local arena for his re-



election.<sup>61</sup> However, Joho's focus on the national arena during the rerun appeared to serve two ends, which highlight the opportunities created by governorships to challenge the national political arena, as well as the constraints imposed by the two-term gubernatorial limit which meant that 2017-2022 would be his last term in the Mombasa seat.

First, resistance to the rerun offered an opportunity for Joho to build further popular support around the anti-Jubilee stance that had characterised his first gubernatorial term. Since at least early-2016, Joho's governorship had been characterised by a theatrical series of public spats with the national government. Such altercations were directly with the president and the county commissioner (subsequently regional coordinator) Nelson Marwa.<sup>62</sup> This 'defiant politics',<sup>63</sup> on matters ranging from port investments<sup>64</sup> to Joho's personal security detail,<sup>65</sup> boosted the governor's local popularity during an otherwise disappointing first term in county government. In order to deflect attention away from, or even explain, devolution's disappointments, Joho framed the national government's attacks on him as part of a longer historical trend of a state determined to undermine the coast's potential.<sup>66</sup> When it came to the rerun, NASA's framing of the 'stolen' 2017 presidential poll as part of a long history of 'electoral injustice' fitted with Joho's existing stance on the *longue durée* of central state oppression at the coast. Being against the national government was a way to build legitimacy as a protector of coastal interests. Second, Joho sought to develop his national profile as a possible presidential candidate for the 2022 elections. The popularity gained through claiming to defend coastal interests was embedded in a history of the region's political remoteness from the presidency. However, the autonomy displayed by Joho's politics looked to highlight that a strong governorship could also be a gateway to national executive politics. In this, he looked to use anti-status quo politics to appeal to a broader national audience, especially the quite radical youthful base in Odinga's Luo heartland which forms the country's key opposition constituency.

In an effort to show loyalty to ODM, county-level politicians in Mombasa openly supported NASA's stance on anti-IEBC protests and the vote boycott.<sup>67</sup> On 19 October, the majority of the 30 elected MCAs held a press conference to this effect.<sup>68</sup> Joho's view, as expressed in an earlier interview, was that 'in a country like Kenya, the national government is scared because they know that us leaders can bring people onto the streets'.<sup>69</sup> Local politicians mobilised their supporters and provided transport; as one MCA put it, 'we were the frontrunners of the street protests, every Friday, that's what we were doing'.<sup>70</sup> However, despite local endorsement and facilitation for NASA's resistance, the protests lacked energy. Notably, Joho was not in Mombasa to mobilise momentum, opting to instead appear next to Odinga during the height of the protest and vote boycott calls.<sup>71</sup> Using Joho's local political networks, Mombasa's anti-IEBC protests were led by Deputy Governor William Kingi, a former academic and newcomer to local politics who, despite his vote-bringing Mjikenda identity, was neither a populist nor well-known figure.<sup>72</sup> As well as MCAs, Kingi was usually joined by area MPs from Mvita (Abdulswamad Nassir) and Likoni (Mishi Mboko), as well as the Senator Mohammed Faki. Joho only appeared at one on 11 October, the day after Odinga had withdrawn from the race.<sup>73</sup> Although Mombasa was perceived as a 'hotspot' by police, in reality the protestors would either be allowed to demonstrate (as on 9 October) or were dispersed by police (as on 13 October, after the government made protests illegal in the central business districts of Mombasa, Nairobi and Kisumu).<sup>74</sup> Protest groups would re-group, but by the afternoon hours, the centre of town on the island was usually quiet again.<sup>75</sup> Such subdued activity should not be interpreted to mean a lack of support. Referring to the state's appetite for authoritarian security practices in this part of the country,<sup>76</sup> one resident of Mombasa stated: 'at *mashinani* (grassroots), we were all in support of the protests, but also know the reality of police responding with a heavy hand'.<sup>77</sup> Support for the boycott was underpinned by the widespread view that there was little point in voting on 26 October as the

election would be rigged.<sup>78</sup> Consequently, on election day, while only one polling station in Jomvu constituency saw youths actually frustrate the process, in general most voters stayed away from the polling stations.<sup>79</sup>

Mombasa displayed both the possibilities and limits of resisting the central state in a part of the country that has historically been politically remote from the presidency. The national interests of the county leadership to defy the rerun resonated with many local residents, but not to the extent of major mobilisation for protests and physical prevention of the vote. Along with electoral fatigue, many residents may have also already been satisfied by the election process given the high turnover of MCA seats in Mombasa: only eight out of 30 were re-elected.<sup>80</sup> Mombasa's cosmopolitan population is also likely to be a significant factor. Even allowing for the contested reliability of election results, for an 'opposition zone', Mombasa's presidential results in 2013 and 2017 showed a fairly high vote share for Kenyatta, which could be suggestive of an increasing 'upcountry' population unsympathetic to NASA's goals.<sup>81</sup> However, despite this, the rerun offered an opportunity for Joho to use linkage appeals based on anti-status quo politics, highlighting how governorships can be used as platforms to politically challenge national incumbents directly.

*ii) Kisumu: protesting electoral injustice*

In contrast to Mombasa, since independence in 1963 local politics in Kisumu have been connected directly to competition for the presidency through the leadership of Raila Odinga's father, Oginga Odinga. Yet it is also from those early days, when Oginga Odinga was pushed out of the first government, that Luos have as a community retained a sharp sense of their exclusion from central state politics and society.<sup>82</sup> Raila Odinga's efforts to bring the 2017 presidential election into a wider narrative of historic 'electoral injustice' resonated with his supporters in Kisumu who have long framed everyday struggles within a broader narrative of

being ‘put out in the cold’.<sup>83</sup> The counties of former Nyanza province, especially Kisumu, were therefore unique in the rerun politics. The local influence of Luo co-ethnic Odinga was such that political leaders across positions at the county level faced little choice but to be seen as supporting NASA’s national cause, but in doing so, contributed to the extent of resistance against the rerun.<sup>84</sup> For 2017, the level of police brutality witnessed in Kisumu since the August election, including extra-judicial killings, the rape of women, and breaking into houses at night, had further localised NASA’s national calls for ‘electoral justice’.<sup>85</sup>

County-level politicians were not necessarily frontline organisers in the subsequent protests or vote boycott action in Kisumu, but they used their political standing and resources to help facilitate a major physical resistance against the central state.<sup>86</sup> Such support was essential to showing sympathy for perceptions of long-term historical injustices and marginalisation. Former area MP (2007-13, Kisumu Rural Constituency) and Kisumu Senator (2013-17), Anyang’ Nyong’o won the Kisumu governorship in the August election, having defeated the previous governor, Jack Ranguma, at ODM primaries. As the newly-elected head of the county, but also a close political ally of Odinga, Nyong’o said at a press conference the day before the rerun that he was ‘between the devil and the deep blue sea’ in being responsible for how the fresh presidential elections may go ahead in Kisumu.<sup>87</sup> The days of protests in the previous weeks had been witness to the pressure under which county-level politicians found themselves. Explaining why county-level politicians must be involved in the anti-IEBC protests, one prominent protestor said:

...we will not elect you again if you are not loyal to our party leader...So you must be there whether you like it or not, the public are also watching you. Those who are not with us, we used to call them ‘the moles’, they were betraying us. Taking information from this side to the other party. The local people must see them in the demonstration.<sup>88</sup>

Indeed, since late September when the anti-IEBC protests began, county-level politicians (especially the governor, the Kisumu Central MP and MCAs) had been involved in providing logistical organisation, resources and leadership for the anti-IEBC protests, including vans to mount loud speakers, water, food and fuel for *boda boda* (motorbike) drivers wishing to join the protests.<sup>89</sup> Regardless of their likely genuine support, sustaining their own local legitimacy required such involvement. On MCAs (especially in Kondele and Nyalenda wards), one local civil society activist captured this by saying, ‘there is a near-fanatical following for Baba here and if your area is asleep, then people would be doubting your support to the cause.’<sup>90</sup> This pressure also meant that county-level politicians were in a difficult position to control the nature of the protests. On at least two occasions, Nyong’o led a peaceful protest from the Kondele roundabout to the IEBC offices and back, as large contingents of police watched on the sidelines. Yet almost as soon as his convoy sped off, the police came out of their stations to begin engaging the crowd.<sup>91</sup> Some protestors would even hurry the governor away in order to begin the ‘second half’, which would witness physical clashes with police.<sup>92</sup> The governor deployed ‘marshals’ to keep the protests peaceful, but to little avail,<sup>93</sup> while other county politicians expressed concern over the destruction of property, especially over looting local supermarkets and sabotaging water pipelines.<sup>94</sup> County-level politicians found themselves between the national figure of Odinga and the grassroots pressure that was directly mobilised by his words. To be seen as representing community interests, they faced little choice but to continue providing political and financial support to resisting the rerun.

On 10 October, Odinga announced his withdrawal from the rerun and local organising in Kisumu took on a new dimension. However, this was to be more than a vote boycott. Without Odinga running, the logic became that no elections would take place in Kisumu at

all; what transpired was a highly organised effort to prevent the vote on 26 October. On the day before, rumours circulated in Kisumu town that people needed to be off the streets by 11pm.<sup>95</sup> When residents woke up on election day, they found a number of measures had been put in place to physically guarantee that no voting could take place. This effort was aimed at ensuring that no electoral materials could move across the county from constituency tallying centres, where they had arrived on 24 October, to polling stations. In Some constituency, the tallying centre was guarded by groups of young men (standing alongside armed police); burning tyres and nails were placed on the roads leading out; and any passing vehicles were checked for electoral materials.<sup>96</sup> In Kisumu Central constituency, padlocks and welding machines had been used to lock gates at primary schools intended as polling stations. Elsewhere in the constituency, trenches had been dug outside polling stations to prevent any vehicles passing.<sup>97</sup> As with the protests, county-level politicians had helped to facilitate this organisation, as explained by a key grassroots organiser:

We are not going to vote and we need padlocks: where will we get them? And we don't have money, we are not working. So we go to our leader...Ours we took to the area MCA, he's always active. He bought us around 200 and something padlocks, and the chain, the big one, so we were using them at the gates.<sup>98</sup>

This intense climate of intimidation had already meant that almost no IEBC staff turned up to their stations. The movement of people within town was also policed, with residents being questioned on where they were going and told not to vote.<sup>99</sup> By and large, residents were said to be 'more impressed than upset' by this effort.<sup>100</sup> By mid-afternoon on the rerun day, the IEBC Chairman Wefula Chebukati announced that the election had been suspended in Kisumu, as well as Migori, Siaya and Homa Bay (the country's four Luo-majority counties), due to 'insecurity issues'.

In the context of heavy security deployments in Kisumu, along with Jubilee's determination to gain legitimacy from the rerun, physically preventing the vote from taking place was seen locally as a major victory against years of central state oppression. The radical spirit of Nyong'o's words the day before the rerun echoed this feeling. In a room filled with international media he declared, 'if the government subverts the sovereign will of the people....then people are entitled to rebel against this government.'<sup>101</sup> It is true that county politicians did not lead the resistance and Nyanza region has been at the centre of confronting state authority in the past.<sup>102</sup> However, the political pressure placed on a larger number of county-level politicians with the resources and political standing to support protests against 'electoral injustice', combined with less fear that the 'region will be isolated' in developmental terms given devolved resources, helped to bolster the confidence of those leading the resistance in Kisumu.<sup>103</sup>

### ***Conclusion***

This article has explored the role of county-level politicians during the presidential rerun to examine the impact of devolution on reducing the stakes around the presidential election and on central power. The rerun set a test for the resilience of the links forged between presidential and county campaigns in the run-up to the August election and, by extension, the saliency of the presidency without the incentives of county-level elections.

By comparing Jubilee and NASA counties, the article highlights that different forms of linkage appeals played out depending on whether county-level politicians were aligned with the political centre or against it. These allegiances shaped the extent to which county-level politicians were motivated to mobilise over the rerun, and, if and when they did, the reasons for doing so. For winning and losing politicians in Jubilee strongholds, a Kenyatta presidency in jeopardy imperilled the benefits of links with the political centre, upon which

they had implicitly campaigned. This led to a sizable mobilisation effort to get out the vote for Kenyatta, demonstrating that linkage appeals in Jubilee areas continued to value access to resources from the centre. In NASA areas, however, links between the presidential campaign and the counties were less robust after the election. First, many counties lacked the will and resources to partake in the national theatrics and focused on forming county governments instead. Second, however, the examples of Mombasa and Kisumu showed that the counties which participated in rerun politics highlight a different form of linkage appeals that prioritised the defence of community interests. These patterns indicate that in a remarkably short space of time, the new devolved political offices have become embedded features of the local landscape. However, part of what has given them meaning are the tools that have long driven mobilisation in Kenya – clientelism and the defence of community interests. Such continuities highlight the contradiction that devolution has regionally redistributed power but remains empowered by divisive politics.

Different forms of linkage appeals connecting national and county levels indicate that devolution's effect on central power is not uniform. Jubilee's effective use of its county-level politicians demonstrates that devolution offers the presidential incumbent opportunities to strengthen their position when national and county political interests align. At the same time, the focus of most NASA counties on their own local governments, combined with the strong motivations in Kisumu and Mombasa to support the national opposition, offer two separate ways in which Kenyan devolution does not strengthen the power of central incumbents. The reproduction of national partisan divides at the county level, however, suggests that devolution's effect on central power is contingent partly on the way that national and county political alliances intersect. In the 2013 and 2017 elections, the Kenyatta-Ruto alliance brought together the counties of Central and much of the Rift Valley, the heartlands of past electoral violence over the presidential race. Given Kenya's fluid national electoral alliances,



and in particular uncertainties over Ruto's ability to realise his presidential ambitions within Jubilee, the political geography of national-county alliances may change for the 2022 elections. Devolution has, on one level, given enough power to the local arena in ways that reduce a focus on the presidential race. However, a lens on the intersection between national and county politics indicates that the effect on central power is not necessarily stable. Shifting national electoral coalitions in Kenya will, by extension, shape the geography of how presidential and county electoral campaigns align. Devolution's effect on central power may therefore change with each electoral cycle.

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### **Notes**

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<sup>1</sup> Cornel, Ernest. 2017. "NASA stages peaceful demos, chants 'no reforms no election.'" *The Star*, October 3. [https://www.the-star.co.ke/news/2017/10/03/nasa-stages-peaceful-demos-chants-no-reforms-no-election\\_c1645481](https://www.the-star.co.ke/news/2017/10/03/nasa-stages-peaceful-demos-chants-no-reforms-no-election_c1645481)

<sup>2</sup> 'County politicians' refers to all elected positions within the county as a political unit: governor, senator, member of parliament, women's representative and member of county assembly.

<sup>3</sup> Burke, Jason. 2017. "Kenyan president declared winner of disputed election rerun." *The Guardian*, October 30. <https://www.theguardian.com/world/2017/oct/30/kenyan-police-hunt-opposition-politicians-they-blame-for-violence> Turnout figures for Kenyan elections are typically high: 2013 (86%), August 2017 (78%).

<sup>4</sup> Kramon and Posner, "Kenya's New Constitution," 89.

<sup>5</sup> Cornell and D'Arcy, "Devolution, Democracy and Development," 8.

<sup>6</sup> Kitschelt, "Linkages between citizens politicians." On Kenya, see: Barkan and Okumu, "Linkage without Parties" and Barkan and Okumu, "Legislators, Elections Political Linkage."

<sup>7</sup> On the role of intermediaries in linkages, see: Stokes et al., *Brokers, Voters and Clientelism*.

<sup>8</sup> For mobilisation around the defence of community interests see Lynch, *I Say to You*; Chome, "Devolution only for development," and Carrier and Kochore, "Navigating ethnicity and electoral politics."

<sup>9</sup> Mombasa and Kisumu are the examples used for this paper, but other parts of the country were also affected. Protests took place in Nairobi, as well as parts of former Western and Eastern provinces.

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Like Kisumu, the rerun did not take place at all in Siaya, Homa Bay and Migori counties given popular resistance.

<sup>10</sup> Boone, “Decentralisation as Political Strategy,”; Boone, “State-Building in African Countryside,” and Lewis, “Decentralization leads to recentralization.”

<sup>11</sup> Cheeseman et al., “Decentralisation in Kenya,” 8.

<sup>12</sup> I volunteered as a short-term observer for the Carter Center’s international election observation mission to Kenya.

<sup>13</sup> Throup and Hornsby, *Multi-Party Elections in Kenya*.

<sup>14</sup> Mueller, “Political economy Kenya crisis” and Chege, “Back from the brink.”

<sup>15</sup> Kasfir, “Agency across changing sites.”

<sup>16</sup> Ghai, “Devolution: Restructuring Kenyan State.”

<sup>17</sup> MCAs replaced local councillors that existed under the local government system. See Moss, “The dilemma of councillors.”

<sup>18</sup> Cheeseman et al., “Decentralisation in Kenya,” 15.

<sup>19</sup> Lewis, “Decentralization leads to recentralization”, Ndegwa, “Decentralization in Africa.”

<sup>20</sup> Boone, “Decentralisation as Political Strategy.”

<sup>21</sup> Barkan and Chege, “Decentralising the state.”

<sup>22</sup> Cheeseman, “Kenya since 2002.”

<sup>23</sup> Cheeseman et al., “Decentralisation in Kenya,” 8.

<sup>24</sup> Kitschelt, “Linkages between citizens politicians,”; Kitschelt and Wilkinson, *Patrons, Clients and Policies* and Dalton, *Political Parties and Democratic Linkage*.

<sup>25</sup> For a detailed discussion of the variety of clientelist linkages, see Stoker et al., *Brokers, Voters and Clientelism*. Also see: Lemarchand, “Political clientelism and ethnicity,” and Van de Walle, “Presidentialism and clientelism.”

<sup>26</sup> Barkan, “Comment: Further Reassessment,” 453 and Barkan and Okumu, “Linkage without parties,” 297-299.

<sup>27</sup> Cheeseman, “Political linkage,” 17.

<sup>28</sup> Stokes et al., *Brokers, Voters and Clientelism*.

<sup>29</sup> Cheeseman et al., “Decentralisation in Kenya,” 5.

<sup>30</sup> Kitschelt and Wilkinson, *Patrons, Clients and Policies*.

<sup>31</sup> Hassan, “Continuity without Change” and Cheeseman et al., “Decentralisation in Kenya,” 23-28.

<sup>32</sup> Although the Supreme Court did not overturn these results, many in the opposition continued to contest their legitimacy.

<sup>33</sup> Interview with a local political analyst, Nairobi, 19 August 2017.

<sup>34</sup> Field notes from Jubilee election rally in Marsabit, 26 July 2017.

<sup>35</sup> Burbidge, “Where devolution should not be working.”

<sup>36</sup> Ibid.

<sup>37</sup> Waddilove, Hannah. 2017. “Kenya voted for change and got it...at the local level.” *African Arguments*, August 18. <http://africanarguments.org/2017/08/18/kenya-voted-for-change-and-got-it-at-the-local-level-elections/>

<sup>38</sup> Interviews in Nairobi, Marsabit, Mombasa and Bungoma between April and October 2017.

<sup>39</sup> Conversation with Nairobi-based political analyst, 1 November 2017.

<sup>40</sup> Mathenge, Oliver. 2017. “Jubilee MPs to be Uhuru’s chief agents.” *The Star*, September 27. [https://www.the-star.co.ke/news/2017/09/27/jubilee-mps-to-be-uhurus-chief-agents\\_c1642435](https://www.the-star.co.ke/news/2017/09/27/jubilee-mps-to-be-uhurus-chief-agents_c1642435)

<sup>41</sup> Ng’etich, Jacob and Geoffrey Mosoku. 2017. “Uhuru and Ruto push for numbers in their campaigns.” *The Standard*, October 21. <https://www.standardmedia.co.ke/article/2001257935/uhuru-and-ruto-push-for-numbers-in-their-campaigns>

<sup>42</sup> Wanga, Justus and Wanjohi Githae. 2017. “Uhuru and Ruto stick with original campaign teams for re-run.” *Daily Nation*, September 10. <https://www.nation.co.ke/news/politics/Uhuru--Raila-retain-campaign-teams-for-re-run/1064-4089580-156f41kz/index.html>

<sup>43</sup> European Union, *Kenya: Final Report*.

<sup>44</sup> Benjamin, Imende. 2017. “Uhuru aims for big gains in 13 swing vote counties.” *The Star*, April 1. [https://www.the-star.co.ke/news/2017/04/01/uhuru-aims-for-big-gains-in-13-swing-vote-counties\\_c1534904](https://www.the-star.co.ke/news/2017/04/01/uhuru-aims-for-big-gains-in-13-swing-vote-counties_c1534904)

<sup>45</sup> Interview with MCA, Marsabit, 15 July 2017.

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- <sup>46</sup> Email communication with local researcher, February 28, 2018.
- <sup>47</sup> Rutto, Stephen. 2017. "I will work with Uhuru to develop Turkana, governor Nanok now says." *The Star*, August 16. [https://www.the-star.co.ke/news/2017/08/16/i-will-work-with-uhuru-to-develop-turkana-governor-nanok-now-says\\_c1616368](https://www.the-star.co.ke/news/2017/08/16/i-will-work-with-uhuru-to-develop-turkana-governor-nanok-now-says_c1616368)
- <sup>48</sup> "Jubilee, NASA all out to win over voters in election countdown." 2017. *Daily Nation*, September 9. <https://www.nation.co.ke/news/politics/Jubilee--Nasa-all-out-to-win-over-voters-in-election-countdown-/1064-4088982-3akt4az/index.html>
- <sup>49</sup> Haugerud, *The Culture of Politics*, 26.
- <sup>50</sup> NASA's coalition parties and co-principals included Raila Odinga's Orange Democratic Movement, Kalonzo Musyoka's Wiper Democratic Movement-Kenya, Musalia Mudavadi's Amani National Congress, and Moses Wetangula's FORD-Kenya. Isaac Ruto, former Bomet governor, was in the alliance up until the 8 August poll.
- <sup>51</sup> Field notes, Taita Taveta during election observation, 9 August 2017.
- <sup>52</sup> The main geographical exception was Turkana, where ODM governor Josephat Nanok was running again.
- <sup>53</sup> These included: Narok, Nyamira, Kisii, Turkana, Tana River, Wajir, Trans Nzoia, Samburu, Garissa, Isiolo, Kajiado, Lamu and Nairobi. These counties saw both candidates receive around 50% of the vote for the 8 August results.
- <sup>54</sup> The two exceptions were Kitui and Machakos, where the presidential result went overwhelmingly to Odinga but locally popular gubernatorial candidates won on non-NASA party tickets. Otherwise, NASA won 17 county governorships.
- <sup>55</sup> "Nasa to increase anti-IEBC demos." 2017. *Daily Nation*, October 7. <https://www.nation.co.ke/news/politics/Nasa-to-increase-anti-IEBC-demos/1064-4128902-1jxei5/index.html>
- <sup>56</sup> Interviews conducted across counties with MCAs from January – September 2017.
- <sup>57</sup> "Business in county assemblies starts as Speakers sworn in." 2017. *Daily Nation*, September 5. <https://www.nation.co.ke/counties/County-Speakers-sworn-in/1107872-4083326-1m3n8sz/index.html>
- <sup>58</sup> D'Arcy and Cornell, "Devolution and Corruption."
- <sup>59</sup> Jubilee counties were also forming their governments; however, given fewer stakes in the rerun, in NASA counties, local politics were prioritised to a greater extent.
- <sup>60</sup> 'Baba' refers to Raila Odinga. Field notes, Nairobi, 1 June 2017.
- <sup>61</sup> Joho won re-election with 65% (220,265 votes), an improvement on his 49% in 2013 (132,583 votes).
- <sup>62</sup> Mwakio, Philip. 2016. "Nelson Marwa threatens to arrest Governor Joho over 22-acre plot dispute." *The Standard*, October 3. <https://www.standardmedia.co.ke/article/2000218201/nelson-marwa-threatens-to-arrest-governor-joho-over-22-acre-plot-dispute>
- <sup>63</sup> Chome, Ngala. 2017. "Joho and Sonko lead rise of defiant politics." *The Standard*, April 16. <https://www.standardmedia.co.ke/article/2001236481/joho-and-sonko-lead-rise-of-defiant-politics>
- <sup>64</sup> Frederick, Fadhili. 2017. "Joho unhappy with move to set up dry port in Naivasha." *Daily Nation*, February 13. <https://mobile.nation.co.ke/counties/Naivasha-dry-port-angers-Joho/1950480-3811436-10q7sa6z/index.html>
- <sup>65</sup> Benyawa, Linah. 2016. "State now withdraws Governors Hassan Joho and Amason Kingi's security." *The Standard*, March 11. <https://www.standardmedia.co.ke/article/2000194524/state-now-withdraws-governors-hassan-joho-and-amason-kingi-s-security>
- <sup>66</sup> Interview with Governor Hassan Joho, Mombasa, 7 April 2017.
- <sup>67</sup> Interviews with five MCAs, Mombasa, June 2018.
- <sup>68</sup> Ahmed, Mohamed. 2017. "No presidential election in Mombasa County, only anti-IEBC protest: MCAs." *Daily Nation*, October 19. <https://www.nation.co.ke/counties/mombasa/No-election-Mombasa-MCAs-warn-IEBC/1954178-4147030-146eitxz/index.html>
- <sup>69</sup> Interview with Governor Hassan Joho, Mombasa, 7 April 2017.
- <sup>70</sup> Interview with MCA, Mombasa, 21 June 2018.
- <sup>71</sup> Phone conversation with a political campaigner, Mombasa, 28 October 2017.
- <sup>72</sup> Mjikendas are considered to be an important voting bloc in Mombasa and all main gubernatorial candidates had Mjikenda running mates in the 2017 elections. For 2013 elections, see: Willis and Chome, "Marginalization and Political Participation."

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- <sup>73</sup> Phone conversation with a political campaigner, Mombasa, 28 October 2017.
- <sup>74</sup> Ombati, Cyrus and Protus Onyango. 2017. “Controversy over Matiang’i ban on demos in CBD.” *The Standard*, October 13. <https://www.standardmedia.co.ke/article/2001257219/controversy-over-matiang-i-ban-on-demos-in-cbd>
- <sup>75</sup> Phone conversation with a local journalist, Mombasa, 27 October 2017.
- <sup>76</sup> Haki Africa, *What do we tell the families?*
- <sup>77</sup> Written conversation over social media, 15 October 2017.
- <sup>78</sup> Phone interview with a civil society activist, Mombasa, 8 February 2018.
- <sup>79</sup> Ibid.
- <sup>80</sup> Waddilove, Hannah. 2017. “Kenya voted for change and got it...at the local level.” *African Arguments*, August 18. <http://africanarguments.org/2017/08/18/kenya-voted-for-change-and-got-it-at-the-local-level-elections/>
- <sup>81</sup> In Mombasa, Kenyatta received 23.79% of the vote in 2013 and 29.09% on 8 August 2017.
- <sup>82</sup> Morrison, “The nature of decline,” 118 and Lonsdale, “Soil, Work, Civilisation,” 310.
- <sup>83</sup> Morrison, “The nature of decline,” 117.
- <sup>84</sup> Phone interview with a local radio journalist, Kisumu, 23 February 2018.
- <sup>85</sup> Human Rights Watch, *Kill Those Criminals*.
- <sup>86</sup> Interview with MCA, Kisumu, 17 June 2018.
- <sup>87</sup> Press conference recording of Nyong’o, Kisumu, 25 October 2017. Supplied by Reuters.
- <sup>88</sup> Interview with a grassroots activist, Kisumu, 16 June 2018.
- <sup>89</sup> Interview with MCA, Kisumu, 17 June 2018; phone interview with a civil society activist, Kisumu, 23 February 2018.
- <sup>90</sup> Ibid.
- <sup>91</sup> Phone interview with Nairobi-based foreign correspondent, 19 February 2018.
- <sup>92</sup> Phone interview with a civil society activist, Kisumu, 26 February 2018.
- <sup>93</sup> Phone interview with a local newspaper journalist, Kisumu, 23 February 2018.
- <sup>94</sup> “Looting as Nasa’s anti-IEBC demos turn ugly in Nyanza.” 2017. *Daily Nation*, October 6. <https://www.nation.co.ke/news/Looting-as-Nasa-anti-IEBC-demos-turn-ugly-in-Nyanza/1056-4128108-h4tc1vz/index.html>
- <sup>95</sup> Phone interview with a civil society activist, Kisumu, 26 February 2018.
- <sup>96</sup> Phone interview with a civil society activist, Kisumu, 23 February 2018.
- <sup>97</sup> Ibid.
- <sup>98</sup> Interview with a grassroots activist, Kisumu, 16 June 2018.
- <sup>99</sup> Phone interview with a civil society activist, Kisumu, 26 February 2018.
- <sup>100</sup> Ibid.
- <sup>101</sup> Press conference recording of Nyong’o, Kisumu, 25 October 2017. Supplied by Reuters.
- <sup>102</sup> Cheeseman, “The Kenyan elections of 2007.”
- <sup>103</sup> Phone interview with a civil society activist, Kisumu, 23 February 2018.

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