



African Democracy- Meter Reports Initiative (ADRI)

Kenya

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Message from the President

African Democracy is on CODE RED.

**I am positive
about the
development
of democracy.**

Stakeholders must think about how their goals on military or democracy rule can affect the growth, security, and stability of nations as well as how their actions can prevent the next coup in Africa. With the aid of dynamic agencies and organisations, I am positive about the development of democracy

As governments throughout the continent become more authoritarian, Africans will become increasingly alienated from the people purporting to represent their needs. I am calling on all democracy funders to add urgency and increase the pool of grantees to help expand the CSO base so as to revert the shrinking CSO space across the continent.

There has never been a more pressing need to maintain, preserve, and advance democracy. We at ReadyToLeadAfrica firmly believe that we cannot overstate the importance of our work in pushing for African democratic growth and sustainability.

We are Ready to do our best. Ours is to PLOUGH, Not to PLUNDER.



**Godbless Otubure
Global President
ReadyToLeadAfrica**

Abstract

On August 09, 2022, Kenyan citizens will be hitting the polls for the presidential, parliamentary, and senatorial elections.

President Uhuru Kenyatta of the dominant Jubilee Party, who is prohibited from running for a third term, has divided the Jubilee Party by endorsing Raila Odinga, the prime minister and member of the Orange Democratic Movement, over William Ruto, his own vice president (Ray). Given the history of election violence in Kenya, this has many worried. While social unrest is now at a low, accusations of election fraud in previous elections have sparked violence that has killed and displaced thousands (Ray). This report seeks to examine Kenya's history of ethnic and political strife, its implications for post-election violence, and the next steps in the country's transition to a more transparent and equitable democracy.



On their route to a polling site in Nairobi, people walk by graffiti advocating for peace.
Source: ForeignPolicy.

History and Background

In Kenya, there are 40 different ethnic groups, with the Kikuyu in the center part of the nation making up the majority with over 17% of the total population. The Kikuyu make up the largest voting bloc and have traditionally dominated Kenya's economy and politics. With populations of over four million, the Luhya, Luo, Kalenjin, and Kamba are ranked second through fifth respectively. Politicians have historically fueled inter-tribal strife by exploiting tribal allegiance and resentments against economic injustices, and every election has been marked by bloodshed (Ray).



A snapshot from the post-election violence in 2007/08. Source: DW.

Kenya's democratic history begins on December 6, 1969, the nation's first general election after it gained independence in 1963. Jomo Kenyatta, Kenya's first president post-independence and member of the Kenya African National Union (KANU), outlawed the Kenya Peoples Union (KPU) on October 30, 1969, effectively forming a one-party state in Kenya (Ray). Until 1991, Kenya became a one-party state after the Kenya African Democratic Union (KADU) joined with the Kenya National Union (KANU), led by President Jomo Kenyatta (of the Kikuyu ethnic group) (et al.). In 1991, Kenya's second president, Daniel Arap Moi (of the Kalenjin ethnic group), introduced the first multiparty election system since the nation's independence in 1963. In the run-up to the 1992 election, the KANU organized gangs of armed young men to perpetrate acts of violence against people of the Luo, Luhya, Kamba, and Kikuyu ethnic groups in the Rift Valley, promising them land and jobs (Figure 4-1). This caused nearly 250,000 people to be displaced (mostly Kikuyu) and approximately 1,500 people to be killed (Figures 4-2 and 4-3) (et al.).

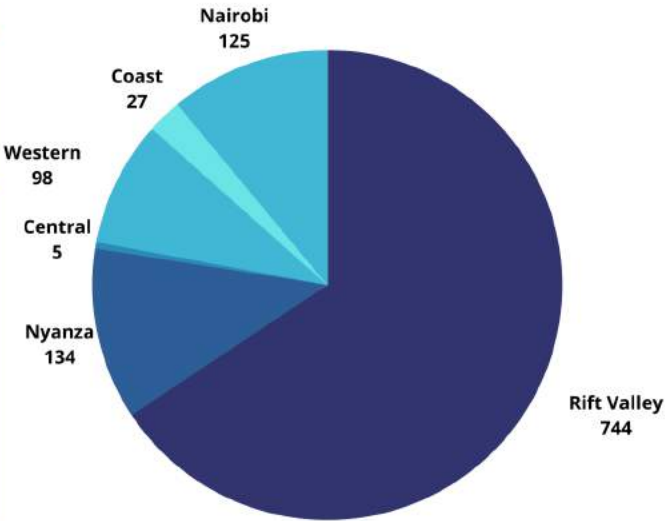
In 1997 multiparty elections were again marred by organized violence against groups in the Rift Valley and Coast provinces that were viewed as opposed to the KANU. Approximately 100,000 people were displaced and about 400 killed (et al.). Mwai Kibaki of the National Rainbow Coalition beat Uhuru Kenyatta of KANU to win the presidency in the general elections of 2002, making history by being the first time KANU did not occupy the office. However, Kenya's first multiparty election was held along ethnic and tribal lines, setting a tone that has continued till the current day in Kenyan politics (Ray).

Tensions between ethnic groups eventually reached a boiling point in 2007-08. On December 27, 2007, Kenyans went out to the polls to choose between Kibaki, from the Luo tribe, and Odinga, from the dominant Kikuyu tribe, for their presidential vote. For the ensuing days, officials counted the votes and on December 30, the Electoral Commission's Chairman declared Kibaki the official winner (he would go on to say that he "did not know" who won a few days later) (Brownsell). Almost immediately, street protests that Kibaki had allegedly "stolen" the election quickly descended into violence. Over 59 days, up to 1,400 people were killed, and 600,000 more were displaced. As riots swept throughout the nation, teenaged gangs ransacked homes in several of Kenya's slums (Brownsell).

Figure 1. Death by Province in 2007 Kenyan Elections



Map of Kenya. Source: Encyclopaedia Britannica



News accounts of police shooting unarmed protesters added fuel to the flames. Even a church in the northern Eldoret neighborhood was completely destroyed by fire; it had been filled with women and children, predominantly Kikuyu, who had fled there the night before after an attack on their town (Brownsell). Many people still ponder how such tremendous tensions could have erupted into blatant violence. In truth, there is no one right answer—the socio-economic disparities between ethnic groups in Kenya was undoubtedly instrumental to the violence, but there is no denying that enduring resentment and discontent with government leadership also had a role.

Figure 2. Internally Displaced Persons Associated with Elections

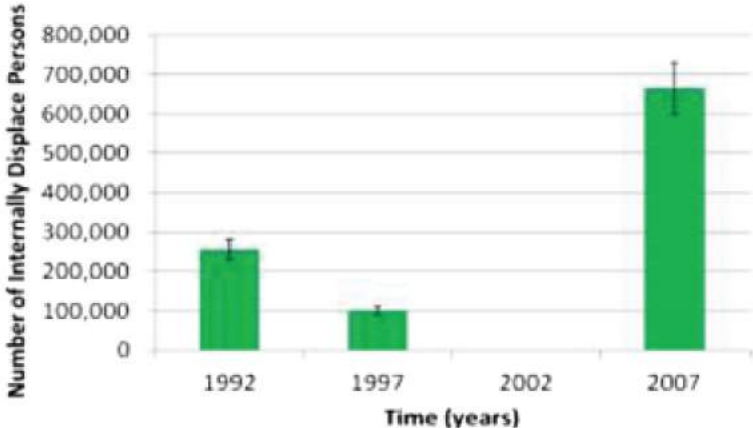


FIGURE 2 The number of Internally Displaced Persons (IDPs) rose as a result of election violence in 2007 after declines in previous Kenyan elections. Source: National Academies of Sciences, Engineering, and Medicine, 2013.

Figure 3. Deaths Associated with Elections

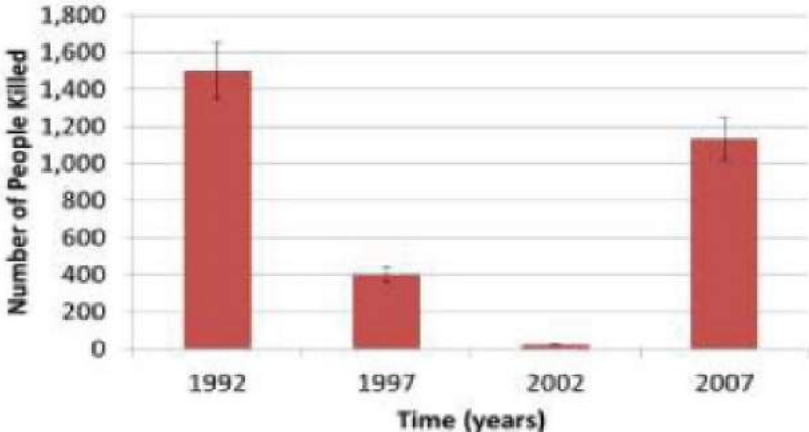
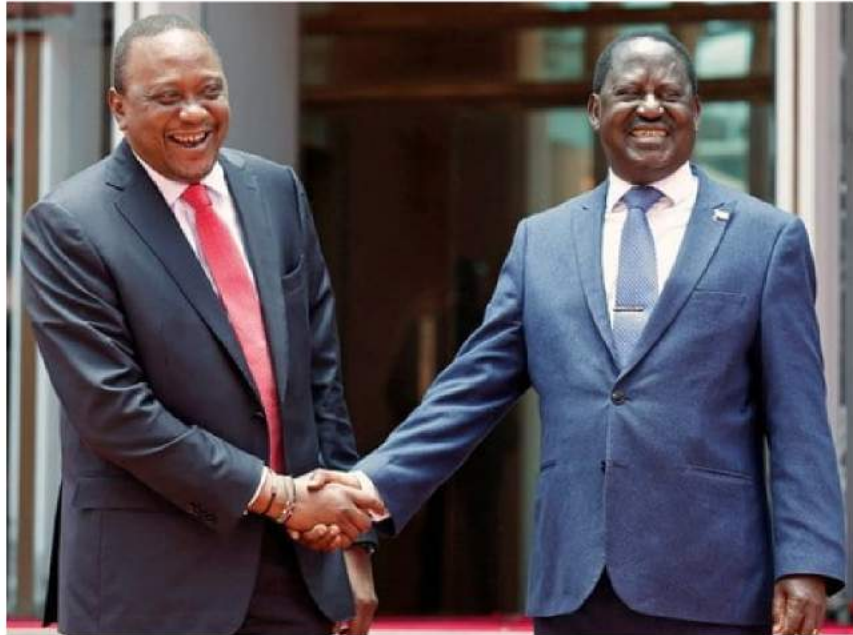


FIGURE 3 Deaths associated with the 2007 election in Kenya rose after declines in the previous two elections. Source: National Academies of Sciences, Engineering, and Medicine, 2013.

Contemporary Contexts

Aside from post-election volatility, there are other political and social problems in contemporary Kenya. In March 2018, a handshake between President Uhuru Kenyatta and opposition leader, Raila Odinga, was intended to end many months of post-election violence. However, it also facilitated the



President Uhuru Kenyatta and former Prime Minister Raila Odinga shaking hands at Harambee House in 2018. Source: Citizen Digital.

formation of the Building Bridges Initiative, a proposed program focused on laying the foundation for peace and reconciliation by ending historical and electoral abuses and uniting Kenyan citizens. The BBI process resulted in a report released in October 2020 that advocated amending numerous sections of Kenya's constitution to address concerns of political inclusion and electoral inequality (Auma and Campbell). The deal, however, was met with immediate criticism by minority parties and opposition individuals who claimed that it irreversibly disadvantaged them by consolidating power in the hands of a small political elite (Ray).

Additionally, William Ruto's supporters saw the BBI measures as a way to prevent him from running for president in 2022. Ruto and his allies publicly criticized the BBI process, branding it as an attempt to preserve present leaders' roles in an “expanded executive, rather than as a systematic reform” to diversify the political system (Auma and Campbell). They contend that it will also marginalize sparsely populated regions of the nation and threaten the independence of the court. The Kenyan Court of Appeals eventually agreed with the opponents of the bill and declared it unconstitutional in 2021.

It's portrayed as a battle between the 'hustlers' and the 'dynasty' political families.

Furthermore, there seems to be a recent shift in Kenya's political narrative from "inter-ethnic to inter-class competition." Exacerbated by COVID and its effects, but sustained by decades of socioeconomic disparity, it is based on the reality that recurrent Kenyan political leaders have originated from a handful of families, and it reframes the election as one of the oppressed citizens vs the elites, rather than one of ethnic alliances. It's often portrayed as a battle between the 'hustlers,' low-to-middle income workers who typically occupy the informal sector, and the 'dynasty' political families like the Odingas, Kenyattas, and more (Auma and Campbell). According to experts, this is a cunning effort by Deputy President Ruto to reframe "identity politics" in Kenya. It testifies to rising dissatisfaction with the government, especially when coupled with the limitations that have had such a negative impact on the livelihoods of the numerous young people who rely on the informal economy. The epidemic has also fueled the corruption that penetrates all parts of Kenyan public life, creating the "COVID millionaires" and enhancing the attraction of the hustler/dynasty storyline.



Kenya's busy Kisumu Market before COVID-19. Source: World Bank Blogs.

Analysis

Post Election Violence

The issue of violence is front of mind for the public as Kenya prepares for the elections in 2022. The polarization of political parties and violence along racial lines has been most disturbing. This has been contested in the most recent elections between the Luo and the incumbents in power, who are ethnically Kikuyu or Kalenjin. Due to the absence of Kikuyu candidates in this election, the dynamics have substantially shifted (Ahluwalia). The candidates should reach a consensus on the rules. The leading candidates, Odinga and Ruto, as well as the current president, Kenyatta, will need to act wisely given their influence over the electorate. Public declarations by the leading candidates to accept the results of an election, preferably made together, have helped to significantly reduce tensions and calm public anxiety in controversial elections,

like in Nigeria in 2015 (crisisgroup). Considering that Odinga's 2017 decision to fight Kenyatta's victory in court was crucial in preventing violence, Ruto and Odinga should also pledge to accept the election results or to take legal action solely in court should they contest the outcome.



Demonstrators raise signs in protest of the killing of a Kenyan senior election official who was found killed in Nairobi, Kenya in August 2017.

Source: Newsweek.

Dynasty Relationships

As previously discussed, there is a prevalent narrative of the political offices being monopolized by certain dynastic families. Although it may be unlikely that this issue will be solved in the near future, perhaps it can be used in the people's favor for the upcoming election. If they win the election, the candidates and their adherents should promise not to take revenge on one another. Due to a tradition of "elite pacts" that have ensured multiple presidents amicably depart office because they sought to preserve their or their family's future, Kenya has been known for stability in comparison to its neighbors (*Kenya's 2022 election: High stakes*). The unspoken arrangement between the departing and incoming leaders was a common foundation for

previous transfers of power. Before he passed away in 1978, President Jomo Kenyatta had confidence that Daniel Arap Moi would ensure the safety of his family. When he gave up power in 2013, Kibaki was confident that Kenyatta would look after his interests. But this election cycle's dynamics are different due to the profound deterioration of Kenyatta and Ruto's relationship (*Kenya's 2022 election: High stakes*). Some believe the election will be risky because there doesn't seem to be a mutual agreement between Kenyatta and Ruto. Discreet negotiations between Kenyatta, Ruto, and Odinga may be a helpful approach. They would ideally be facilitated via well-known corporate leaders who are trusted by all three men, perhaps with support from outside entities like the African Union (AU) and the UN as well as Western allies like the U.S. and the EU.



President Uhuru Kenyatta and his Deputy William Ruto. Source: Hivisasa.

Rebuilding Trust

There is a lack of faith in the capacity and impartiality of electoral institutions. In addition, there is an atmosphere of universal apathy. Voter registration has been significantly low, which is likely due to the public's weariness with the frequently changing coalitions among elites who have controlled both politics and the economy for nearly two decades (*Kenya's 2022 election: High stakes*). Kenyans' mistrust of their police is a part of a larger skepticism of the government, particularly among youth, and a deep sense of political marginalization. Since the reforms intended to restore public trust in the IEBC's credibility and integrity have not yet been properly implemented, there



An IEBC agent works on the final day of mass voter registration in Kibera Slums, February 2022. Source: The Africa Report.

are doubts regarding a peaceful transfer of power in the election slated for next year. Authorities should allow public institutions to conduct the election and resolve disputes in a transparent, unbiased, and unobstructed manner. In order to ensure legitimate elections and prevent electoral violence, government institutions like the judiciary, the Independent Electoral and Boundaries Commission (IEBC), and security forces must operate effectively. Authorities should refrain from attempting to sway the electoral commission's choices and stop making negative public pronouncements about the election in favor of Odinga. The commission should do its duties with as much clarity as possible, which might include frequently updating political parties on each stage of electoral preparations. The judiciary should keep publicly expressing that it is ready to settle electoral issues (*Kenya's 2022 election: High stakes*).

Fighting for Full Democracy

Even with all of the above measures, Kenya's democratic future may still need the assistance of outside groups, like the AU in particular. As an additional measure to protect election integrity, the Kenya administration could invite foreign observers to the nation. The international media often pays close attention to Kenyan elections and sends out large observer missions. Nairobi, however, showed a notable reluctance in the current cycle to accept the presence of observation missions. Since Kenyatta and Ruto were both charged at the ICC, a decision that they believe their Western partners backed, there has been tension between Nairobi and Western capitals. Kenyan authorities did extend an invitation to EU observers in April, which was a significant move toward restoring domestic and global confidence in the validity of the election (*Kenya's 2022 election: High stakes*).



Hundreds of demonstrators marched in Nairobi calling for the end of corruption, 2018.
Source: VOA News

The AU should send out an observer mission, as it did in the 2017 election cycle, and have it headed by a senior African statesman, ideally a former head of state, with the authority to arbitrate in the event of an electoral disagreement. That person could also interact with all the parties to encourage them to keep a civil tone prior to the vote. Despite their different approaches, the EU and the AU should synchronize their activities and communications to increase the credibility of their individual observer missions (*Kenya's 2022 election: High stakes*). All parties involved should make every effort to ensure a free and credible vote in order to increase the likelihood that the election will proceed peacefully. In the context of the Horn of Africa, where neighboring nations are hanging onto every development in Kenya, it remains in the nation's best interest to promote a fair and safe election – not just for the 2022 election but for the future of their democracy.

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About the Author

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Onyii Eze is a summer intern with ReadyToLeadAfrica from Lagos, Nigeria but she is currently living in Bristow, Virginia, in the USA. As a rising second year at the University of Virginia, she hopes to double major in Global Development Studies and Economics, with a concentration in International Economics. At RTLA, Onyii has worked to create an action letter for more youths in political and leadership positions and she also works on programmes development, ECOWAS and AFCFTA trade promotion documents, and youth engagement initiatives.

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