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**ELECTIONS IN KENYA: WHEN ALL ROADS IN EAST AFRICA LEAD TO NAIROBI**

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**Abstract**

Kenya went to the elections in August 2022. The increasing unpredictable and competitive elections have often down-graded general election trends in the East Africa region where predetermined outcomes and poll fixing are the often norm Kenya was not going to be an exception. However, the case in Kenya was different this time. The era of unquestionable linchpins in Kenyan politics seemed to no longer dictate the tone among Kenyan voters. The voting alliance usually set among ethnic lines appeared to have been a matter of the past. Leading candidates set tone by disowning violence and instead appealed for peace to their supporters during the process of elections. Independent monitoring via parallel vote tabulations and public access of data released by the electoral commission from polling stations kept the public informed of the contest. Before the elections, during and after, anxiety was on the rise within Kenya, among Kenya's neighbors, the rest of Africa and elsewhere.

This study examines the 2022 General Election in Kenya as to the maturity of the Kenya electorate against all the odds that has always beset the nation during such particular times. The example set is worth emulation by willing neighboring East African and African states in particular and the world at large. Literature on the elections from reliable daily and weekly tabloids, newsreels, interviews from the mass media, one- to- one debates with political analysts, active participation in panel discussions on the election and discussion groups furnished the necessary information to put something on paper. The general consensus in the discussion groups pitted Kenya to have made a leap forward.

The conclusion can be drawn that a significant progress has been made in Kenya's election process since 2007-2008. The process in 2022 has displayed a maturity of democracy worth rivalling.

**Keywords:** *Elections, Kenyan Voter, Violence*

## INTRODUCTION

Kenya is a country in Africa. It is part and parcel of the 54 countries of the African continent. It is a member of the apex continental political body, the African Union (AU) headquartered in Addis Ababa, Ethiopia. The country is situated in the eastern part of the continent. It borders Uganda to the west, Ethiopia and South Sudan to the north, Somalia to the north-east, the Indian Ocean to the East and Tanzania to the south. Kenya, together with its neighboring countries, with the exception of Ethiopia and Somalia, form the East African Community (EAC). Other countries in the community are Rwanda, Burundi and the Democratic Republic of the Congo (DRC). Anything taking place in one of the member countries of the community arouses interest in the other member countries, but more so when it is in Kenya as per the available experience. Now that Kenya is on the election, member countries have a stake in it. On 9 August 2022 Kenya held its 3<sup>rd</sup> general election and its 4<sup>th</sup> presidential election since the promulgation of the country's 2010 Constitution. The country holds its general elections after every five years

### Preview of Elections Elsewhere in Africa 2021&2022

The African Centre for Strategic Studies (ACSS)<sup>2</sup> in its 2021 Spotlight alludes that a widespread spectrum of credibility marked 13 African elections that were slated for 2021. According to the Centre, the following African countries went under elections in 2021: Uganda, Niger, the Republic of Congo (Congo Brazzaville), Djibouti, Benin, Chad, Ethiopia, Sao Tome and Principe, Zambia, Somalia, Cape Verde, the Gambia and Libya<sup>3</sup>. In 2022, the Centre elucidates, 8 African countries have gone or shall be going to the elections. These include, Libya, Mali, Guinea, Somalia, Kenya, Angola, Chad and Somaliland<sup>4</sup>

### Elections in Kenya in 2022

ACSS ascertains that the headline of Kenya's Presidential election on 9 August 2022 is the proximate succession from President Uhuru Kenyatta who has to step down after two terms in office. On 15 August 2022 Dr. William Ruto<sup>5</sup> flag bearer of Kenya Kwanza and leader of the United Democratic Alliance Party was declared winner of the race for the 5<sup>th</sup> Presidency of Kenya according to the results announced by the Independent Electoral and Boundaries Commission (IEBC)<sup>6</sup>. On 22 August 2022 Raila Odinga<sup>7</sup> filed a court petition against the presidential election results of the 9 August election that handed victory to Ruto.

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<sup>1</sup> On 26 October 2017 the Supreme Court of Kenya annulled the results of the Presidential vote in August 2017 and the country went for a repeat election

<sup>2</sup> The African Centre for Strategic Studies (ACSS) is a political think tank based in Washington DC

<sup>3</sup> Parliamentary elections took place in 2021

<sup>4</sup> Somaliland is an autonomous region in northern Somalia. It broke away from Somalia in 1991 and declared independence. Currently a number of foreign powers recognize Somaliland's sovereignty but it is self-governing with an independent government, democratic elections and a distinct history

<sup>5</sup> William Ruto was Deputy President of Kenya. During the elections he bore the flag of Kenya Kwanza(Kenya First)

<sup>6</sup> IEBC is mandated with the supervisory role of the elections and referenda in Kenya

<sup>7</sup> Raila Odinga is the former Prime Minister of Kenya and flag bearer of Azimio la Umoja Party(Azimio) in the current elections

## **Violence, Vote Rigging and the Like Subdue Kenya Elections**

Ethnic violence and allegations of vote rigging have subdued Kenya from time to time. Despite these challenges, Kenya has been seen to do better as compared to its East African neighbor states in as far as elections and democratic processes are concerned. The ACSS puts it this way, '*Kenya has a history of competitive elections and has been an outspoken defender of upholding democratic norms in the region*'. Compared to the rest of Kenya's East African neighbors, Kenya's political process has been perpetuated by the organization of political parties around ethnicity and personality rather than ideology, the ACSS articulates.

The largest ethnic group in Kenya is the Kikuyu. Neither Ruto nor Odinga is Kikuyu.

The 2022 Presidential candidates and their ethnic groups in bracket read as follows: Odinga (Luo), Ruto (Kalenjin), Wajackoyah (Luhya) and Waihiga (Kikuyu). According to the ACSS, a fair and legitimate electoral process in Kenya can have some strengthening democratic reforms.

During the D-day, none of us, East African citizens, in this area in a foreign country, avoided to constantly make a follow-up of the election results as they streamed in especially those for the two strong contenders, Odinga and Ruto. One of my colleagues here was quoted as saying, '*Kenya is the United States (US) of East Africa because during the US elections there is always a similar constant follow-up of the results as they stream in*'

The ACSS articulates that Kenya is a bulwark of stability in the neighborhood that usually faces an array of security challenges. Elaborating, the ACSS underscores the fact that Kenya's neighbors are facing an array of security challenges. The centre points out that South Sudan, the youngest member of the African Union (AU), a member of the East African Community and Kenya's neighbor to the northwest is facing instability. Somalia, Kenya's neighbor to the north east is locked with al-shabaab<sup>8</sup> threats, there are heightened political repressions in Uganda and Tanzania, Kenya's neighbors to the west and south respectively and Ethiopia, Kenya's neighbor to the north is facing civil wars.

### **What East Africa Says About the Election in Kenya?**

Much has been written and reported on the election in Kenya. A general survey among East Africans at this place indicates that follow-up has been made of the election in Kenya before, during and after the election until now when the results are being challenged at the Supreme Court. Mostly overriding have been the way the polls were conducted, the turn-out, the flow of the results, the announcement of the results, messages of congratulations to the President-elect, out-going President's silence and challenging of the results.

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<sup>8</sup> Al-shabaab-islamist militant group battling the United Nations (UN) backed government in Somalia. It usually carries on attacks to neighboring Kenya

Writing for the East African<sup>9</sup>, on the aforesaid, Charles Onyango Obbo<sup>10</sup> pointed out that Kenya's going to election kept East Africa's election rich run. He mentions that in 2020 both Burundi and Tanzania held general elections. In 2021, he says, it was Uganda's turn. In 2023, 2024 and 2025, he points out that the DRC, Rwanda and Tanzania will go to the polls respectively. According to him, there are some good things about the spread of election dates.

Obbo highlights that the significance of Kenya's vote is larger, He points out that though the elections in Kenya have always been corruption riddled, cynical and marred with irregularities, the elections in that country are set apart from nearly all the rest of the East African elections. As far as he is concerned, Kenya's elections have tremendous redemptive and pedagogic values. He briefly refers them as having a fairly even playing ground, little or no state repression to presidential candidates and closeness of the final results even with electoral trickery. He concludes by saying that Kenya may not be an East African democracy model but when it comes to teaching how to negotiate and make deals, Kenya is a grandmaster.

Discussing the current Kenya election in the MONITOR Newspaper on 17 August 2022, Obbo says that despite the imperfections, the first part of the election was transparent. Accordingly therefore, he says, if one had to look away from the Presidential results in Kenya to the down ballots, it looks like Kenya was about to teach even the US a master class in what divided government meant. According to him, Kenya championed openness in the electoral process. Obbo is Ugandan.

Jenerali Ulimwengu<sup>11</sup>, reporting for the East African regarding the conduct of the election puts it this way, 'The orderly fashion in which the results from constituencies across Kenya were streaming in, being received, collated and posted, the discipline and serenity was overwhelming. He points out that there were many shortcomings in the way the election was run especially when compared with what Kenya's neighboring states to the south and to the west are doing. At this juncture, he argues *that in all matters developmental, even the best is not good enough and there is always room for improvement.* Ulimwengu is Tanzanian.

### **Events Unfolding During and After 9 August**

On 15 August 2022 the Kenya Independent Electoral and Boundaries Commission (IEBC) announced the results of the presidential polls where Ruto, then Deputy President of Kenya, emerged overall winner. On 22 August 2022, Odinga went to court and filed a petition. The focus has now shifted to the Supreme Court of Kenya. *It is not all the way smooth for the President-elect.* There is still some battle to fight. Martha Karua<sup>12</sup>, Odinga's running mate, summarizes the situation very well when she talks to the social media after the official announcement of the results.

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<sup>9</sup> The East African is a daily tabloid published in Kenya and circulated in Uganda, Tanzania, Rwanda and Kenya itself

<sup>10</sup> Charles Onyango Obbo is a Ugandan author, journalist and former Editor of Guardian Africa and Managing Director of the Monitor, a daily Ugandan newspaper

<sup>11</sup> Jenerali Ulimwengu is a chairperson of the Board of the Raia Mwema Newspapers and an advocate of the High Court of Tanzania

<sup>12</sup> Martha Karua is a lawyer and former Minister for Justice and Constitutional Affairs of the Republic of Kenya. In these elections, she is a running mate to Raila Odinga

According to the Citizen<sup>13</sup> dated 15 August 2022, Karua hinting at appeals said, *'It is not over till it is over'*.

### **Kenyatta is Silent on the Outcome of the Election**

Outgoing President Uhuru Kenyatta did not send a congratulatory message to Ruto who was declared winner. In politics nothing happens out of mere coincidence, as per the common belief. This gesture may have caused some political headache in Kenya Kwanza, Ruto's coalition.

A question going on in the minds of many analysts here around is, *'Is Kenyatta obliged to congratulate Ruto?'* Consultations with election official experts to quench the thirst came up with what is put down hereunder:

One expert is of the opinion that Kenyatta may have abstained from congratulating Ruto because as Chairperson to Azimio<sup>14</sup> party where Odinga is flag-bearer to he was avoiding to fall in a trap to endorse Ruto's election while at the same time his (Kenyatta's) party is filing a petition. Congratulation, the expert further elucidates, would mean Kenyatta is ratifying the results. *'In the scenario that Azimio is challenging the election results in the court of law, congratulations has to have meaning pending the decision of the Supreme Court'*, he concluded.

Another expert argues that Kenyatta might be of the opinion that the declaration was a product of improper election conduct. For this expert, *'Kenyatta seems not to believe in Ruto and his team following what has been transpiring between the two persons in their capacities as President and Deputy President of the Republic of Kenya'*.

However, Kenyatta is ready for a peaceful transfer of power. According to the East African dated 20 August 2022, President Kenyatta has repeatedly expressed his commitment to a smooth transition. The latest assurance to that comes from separate meetings the out-going President held with a United States congregational delegation and a group of local religious leaders on Thursday 18 August 2022, reports the East African. Plans for a peaceful power handover to President Kenyatta's successor are also believed to be already underway-overseen by a transition committee chaired by Kenya's Head of Public Service, further reports the East African.

### **Plight of the IEBC**

The Star<sup>15</sup> dated 15 August 2022 reports that there was a standoff between IEBC commissioners over the Presidential results. The tabloid points out that the commissioners failed to agree on the final tally and that some of them refused to sign on the same. According to the tabloid, four of the commissioners including the Vice Chairperson of the Commission, are said to be in disagreement with the final tally over the discrepancies. They disputed presidential election results when set to be announced by IEBC Chairperson, Wafula Chebukati, the tabloid informs. Accordingly, the

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<sup>13</sup> The Citizen is Kenya's political newspaper

<sup>14</sup> Azimio la Umoja is a political alliance consisting of 23 parties including Orange Democratic Party of Odinga and Jubilee of Kenyatta. Ruto leads Kenya Kwanza, a coalition of 12 political parties including his United Democratic Alliance

<sup>15</sup> The Star is a Kenyan daily tabloid published in Nairobi

tabloid further informs, the commissioners did not attend the announcement of the results. The remaining two commissioners, it is believed, faded. Retaliating, the chairperson claimed the commissioners wanted to alter election results for a re-run. How are the commissioners going to approach the presidential results petition? Divided or united? This, dents the image of the IEBC

A general view of the fracas at the IEBC among election politics analysts here is that the commissioners especially the 4 can destroy Wafula Chebukati, the IEBC chairperson who announced the results. They say that the action of the commissioners puts to test the credibility of the results.

### **Post-Election Results Challenge**

Following the election results challenge by Odinga, more debates have picked up here and there from people in their different cadres. Many discourses have been heard and carried out. I am not exactly sure what level of education they hold, their exact professions nor the knowledge they hold in the topics they are coming up with.

However, I am tempted to listen without taking sides with a view to grasping and reporting what is aired. As such I have chosen to name the discussants 'lawyers' and 'political analysts' but in brackets. I have chosen to label them 'lawyers' and 'political analysts' in brackets because I lack the correct term to christen them. These people are highly educated so to say. Some may be lawyers, lawyers-in-the-making, political analysts, political analysts-in-the-making and what have you. What they are coming up with and discussing is very interesting, educative and relevant to any listener. I am presenting the staff discussed in almost the exact words as used by the originators. Hereunder is a narrative of the aforesaid ('lawyers' and 'political analysts' are collectively referred to as 'experts')

#### *'William Ruto's Worries:*

The country is pretty in the middle given the vote tally at 7.1m and 6.9m votes for Ruto and Odinga respectively. It is said that lobbying conducted by one of the two sides has been going on. This is aimed at soliciting more members.

The silence of the outgoing President who has not congratulated the President-elect is another worry. The final worry is the credibility of the results. The Commission Chair single-handedly announced the results. 4 commissioners disowned them and 2 absconded.

#### *The Case of Election Nullification:*

The following issues may form the basis of election nullification: Elections not being free and credible, IEBC chair's action to announce the elections single-handedly and the aspect of opaqueness. The following are the pleas: vote re-count or re-tallying and Odinga to be declared President, nullification of the whole election process and proposing a re-run. An on-going argument between the 'experts' pro-Odinga and those pro-Ruto in case of a repeat election is interesting.

On the one hand, 'experts' pro-Ruto are saying that the declaration of Ruto as President-elect has already elevated him. Among the individual strongest followers of Ruto is Musalia Mudavadi,

<sup>16</sup>who is already, promised the post of Prime Minister or Speaker? He belongs to the Luhya<sup>17</sup> tribe, the tribe with a good number of voters. The Luhya seeing power coming their way will not be in a position to let it go. ‘Experts’ pro-Ruto further argue that Ruto has used his post as Deputy President to expand his stronghold especially in the areas with massive numbers of voters. Those who voted for him in these areas will not hesitate to re-vote, the ‘experts’ argue. Furthermore, they, point out the fact that Ruto will go to the campaign trail as a conquering hero. Finally, they say, because Ruto penetrated into Odinga’s strongholds, he still has the chance to convince more voters from this area.

On the other, pro-Odinga ‘experts’ have this to say: Ruto went to the elections as Deputy President. Now the elections have been nullified, people might take the reasons for the nullification and see him as a cheat. Odinga humiliated Musalia Mudavadi in the latter’s backyard and attained a lot of votes. These voters are likely to vote for Odinga once more. Odinga belongs to the Luo which is one of the largest ethnic groups in Kenya. The Luos might be thinking they were denied victory and therefore turn up in great numbers to vote for Odinga. The moment the elections are nullified pro-Odinga people will come out in massive celebrations and this will entice them to convince others to vote for him. Azimio, Odinga’s party did not have agents in the Mountain(Mount Kenya area-home to the outgoing President and Odinga’s running mate, Ms Martha Karua), an area with many voters. This time it is hoped, Odinga will ensure there are people to guard his votes there. Not only that, but also his running mate and the outgoing President who has been seen to support him will ensure that no stone is left unturned to garner more votes for their candidate. Furthermore, the moment the elections are nullified, Ruto’s Kenya Kwanza will be demoralized. Up to then, the trick used and the network used to the contrary shall have been broken.

#### *What Side Uhuru Kenyatta Is*

Is Uhuru Kenyatta, the outgoing President, genuinely teaming up with Odinga? If so why did he allow Ruto to humiliate him (Kenyatta) not only in his stronghold but also the stronghold of Odinga’s running mate? Ruto garnered more votes in those areas than Odinga. No doubt about the fact that Kenyatta is fully behind Odinga, the ‘experts’ concur.

They are saying all that facilitated Ruto’s garnering of many votes in the area could not have happened without Kenyatta’s knowledge. Still, they enquire, was the outgoing President not capable of stopping the declaration of the President-elect? Was Odinga confident of a win even without the assistance of the deep state? Did the outgoing President make a plan to expose what Odinga’s rivals were doing? Does the outgoing President know who will get the last laugh because he who laughs last laughs the most?

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<sup>16</sup> Musalia Mudavadi is a long serving Member of the Parliament of Kenya and leader of the Amani National Congress in the coalition of Kenya Kwanza

<sup>17</sup> Luhya is an ethnic group of people in Western Kenya



### *Issue of Certificates to the Winning Side*

The IEBC Chairperson issued only one certificate to the winning side, only to the President-elect on 15 August 2022. This is unusual in the election politics of Kenya, the ‘experts’ argue.

They point out that during the 2013 election two certificates were issued. In a similar manner, they say, two certificates were issued during the 2017 election and during the repeat election that year. The certificates were handed to the President-elect and the person who did assume the role of running-mate.

### *Latest Developments-Kenya Kwanza Behaviour*

Kenya Kwanza alliance whose flag-bearer is William Ruto has been seen to buy off or mobilize Independent elected leaders and leaders elected through political parties affiliated to rival coalition Azimio to join his team. The ‘experts’ (pro-Azimio and neutral ones) are asking, ‘Why should Ruto resort to such tactics? ‘Is Ruto preparing for a run-off? Has he realized that his chances for securing a win at the Supreme Court are slim or not there? In general, they are pointing out that Ruto is luring those leaders to his camp assuming there is a runoff and that they will campaign for him.

Is Ruto creating a false perception to influence the judges into upholding his ‘win’? Is he creating a perception that the country has moved on so there is no need for a re-run? Is he creating a perception that the country is peaceful and that he even has more elected leaders in his camp?

What is the character being displayed by Ruto? He is on record to have insisted that he would rather want a strong opposition and that’s why he opposed the ‘hand-shake’<sup>18</sup> between Odinga and Uhuru Kenyatta. Ruto was quoted as saying he didn’t believe in handshake stories. Is he going out of his words even before he is actually sworn-in?

### *Latest Developments- Azimio Jabs Kenya Kwanza’s Behavior*

The Star, Kenya’s daily tabloid, dated 19 August 2022 reports that Raila Odinga and his Azimio coalition, have taken a swipe at Ruto for poaching members from Azimio. According to the Star, Odinga says that Ruto should know that it was illegal for him (Ruto) or others, to induce members to purport to leave Azimio. He further says that Ruto disregards the rule of law despite promising to abide by it.

The newspaper continues to report that Azimio in a statement it issued accused Ruto and his allies of ‘buying’ the leaders to create a vain impression that he is more powerful. According to Azimio, the paper further reports, Ruto is already engaged in acts of impunity and disregard for the rule of law. Azimio further says that Ruto ought to know that democracy required vibrant political pluralism in which different political parties compete on issues. Attempts to cannibalize Azimio by corrupting its members won’t succeed because the party’s deed binds all members to the

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<sup>18</sup> Handshake; On 9 March 2018 Kenyans woke up to life-changing new through a rather unexpected event when Uhuru Kenyatta and Odinga who were at the helm of divisive politics and hurling insults at each other put their differences aside and united through a handshake.

coalition and *there are clearly set out rules and conditions that guide defection from coalition parties.*

### **Kenya Kwanza Files Response to Petition**

Kenya Kwanza has filed response to the petition challenging President-elect Ruto win in the just ended election, reports the East African dated 22 August 2022. The East African mentions that *a senior counsel showdown is in the offing and that the top legal minds are facing off in the Kenyan presidential poll petition.*

According to the newspaper, all eyes will, from 22 August 2022, and for the next 14 days be focused on the 7 judges of the Supreme Court of Kenya who have, until 5 September 2022 to determine whether or not the president-elect won validly. Ruto has been named in the nine petitions challenging the outcome of the elections, the paper informs. *Worth noting is that the past 4 Kenya elections have seen the Supreme Court of Kenya being called upon to settle disputes related to Presidential elections.*

### **Things Odinga Should Avoid in the Case of a Repeat Election**

‘Experts’ are saying that Ruto and his team are currently in serious propaganda. Among those include rhetoric, ‘Odinga cannot become President because of a curse from his father’, ‘Odinga is old and unable to govern the country’ and the like. The following are suggestions from the ‘experts’ on what Odinga should avoid in the case of a repeat election:

#### *Issue of Agents*

In case of going for a re-run, the experts articulate, Odinga should avoid overdependence on the deep state. They also suggest he should avoid the issue of over-trusting agents from the other parties forming the coalition in the vote tallying business.

For instance, they say, Odinga did not have agents in Mount Kenya where it is believed there is a big vote margin. His party in the coalition is well organized in this case he should use people from his party as agents, the experts point out. He has to invest in trusted agents.

#### *Messaging*

The ‘experts’ propose that in the case of a re-run Odinga should have an appealing message to the people from whom he is asking the vote. Ruto is already messaging that Odinga is old and he was cursed by his father as such he is unfit to be president of Kenya. Assuming the elections are nullified, there will be a lot of celebrations. How will Odinga sustain the momentum that will arise? Point out the ‘experts’.

#### *Issue of Roles to Others*

Our ‘experts’ want Odinga to be on top of things. They propose that he has to have a functioning secretariat. While he can delegate some of the things, he should not do so to all of it, they elaborate.

#### *IEBC*

A final advice to Odinga is that he should forget IEBC being free and fair. Instead, the ‘experts’ tell him, he has to have his eyes on IEBC

## **Visits by Odinga and Ruto After a Challenged Presidential Poll**

Both Raila Odinga and William Ruto have set on a streak of visits to the constituencies after the Supreme Court of Kenya has received the petitions and response to petitions from the two sides respectively. According to an analysis by ‘experts’ the visits are not only meant to thank the people for the vote but they have also an inherent latent motive. The visits are cleverly set in that they conclude with thanksgiving masses.

Critically analyzing the visits by the two, the ‘experts’ argue that there is an untold truth behind the visits and that it was not all about thanking neither the electorate nor thanksgiving masses but they are about achieving certain objectives.

The two rivals are keen on that should the Supreme Court nullify the elections, they will use the grounds already set to secure even more votes from the counties during the repeat election. They are both out to consolidate their support and even woo new supporters.

### **Odinga’s Challenge of the Results Entails**

Win or lose Odinga’s challenge matters. That is how a report from the BBC Nairobi office dated 22 August 2022 describes the challenge of the election results in the court of law by Raila Odinga. Raila Odinga, the BBC reports, has been mocked for challenging election results but each case has improved Kenya democracy. According to the report by the BBC, Odinga’s petitions have been crucial in shaping and strengthening the conduct of elections in Kenya. In this case, whatever the Supreme Court decides, this case will help improve subsequent polls.

The efficiency seen in the result transmission was not a fluke but a consequence of a case brought by Odinga after he lost the last election, the report informs. In that case, Odinga alleged massive fraud including the failure of the electoral commission to transmit all results electronically and reduce the risk of them being tampered with, the report further informs.

Odinga’s current petition against declaring William Ruto president-elect is yet another opportunity to address some of the grey areas that have emerged, that are emerging and that will emerge during the conduct of the recent election, according to the report.

### **Conclusion**

In lieu of conclusion, Raila Odinga’s action to petition the presidential results at the Supreme Court of Kenya is causing discomfort in Ruto camp. What happens if the demands by Odinga are granted? The clamor by Odinga if attained shall jeopardize not only Ruto’s image as a person but also the credibility of his allies in general.

The general consensus by the ordinary people is that as the events unfold, the most likely alternative answer to the demands by Odinga is a re-count and a retally. In the case of that option, the consensus among the general public here is that the winner should either be declared President-elect or a call for a repeat action made. Further, the general public agrees that in the case the re-tallying proves beyond doubt that none of the contestants reached the required mark then that is tantamount to going back to the re-run. President Kenyatta might still remain in power as the election in Kenya then will seem not yet over.

Indeed, there is a lot for East Africans within or outside East Africa to learn from the way Kenya is conducting her election affairs. Their current constitution provides a window of opportunity to ‘losers’ and ‘winners’ to live up to the consensus even if it is a result of a court verdict. Kenya is the only East African country to transfer power smoothly from the ruling party to the opposition so far. The run-up to the general elections in Kenya in 2002 was significant to the country and the region at large, argue Oyugi W, Odhiambo Mbai and Wanyande Peter<sup>19</sup> in their article entitled ‘*The Politics of Transition in Kenya: From KANU to NARC Kenya*’ printed in 2003 by the University of Nairobi. In the article, the three co-authors mention how following the run-up to the 2002 elections, concerted efforts at opposition unity under the National Rainbow Coalition-Kenya (NARC Kenya) defeated the then ruling party, the Kenya African National Union (KANU). KANU peacefully transmitted the tongs of power to NARC Kenya.

Furthermore, Kenya set a precedent for African democracies in particular when the results of the 2017 presidential elections were nullified by the Supreme Court. Three years later, in 2020, the results of the 2019 presidential elections that gave a win to then incumbent President Peter Mutharika in Malawi, another African country were nullified.

As if that is not enough, Kenya’s ruling party, Jubilee, joined the opposition coalition in February 2022 for a bid to the presidency. The African News, one of the many local dailies in Kenya, on 27 February 2022 reported that Kenyatta and Odinga made a new official coalition between their parties in a bid to clean up what they called, “crooks”. The paper reports that the Deputy President, William Ruto was sacked from the ruling Jubilee. Alluding to the claims by Ruto that nowhere in the world a government has ever united with and supported the opposition, the paper quoted Kenyatta as saying that Kenya was matured enough to distinguish between politics and the needs of the people and that Kenya was setting another example for others to emulate

One does not fail to see that anything put forward by the ‘experts’ paints like or dislike to presidential candidates. But like or dislike to any candidate, the most important thing is that the two candidates are all Kenyans. In the final analysis it is all about Kenya.

Finally, old African adages summarize it all. The first one, going in its originality by ‘*Nabii hakubaliki kwao*’ and literally translated as ‘*A prophet is not acceptable whence he comes*’ hints at an example set by Kenya. The Kenyans may shun from noting the lesson but outsiders notice and note. In a similar manner, another old adage ‘*Nyani haoni kundule*’ literally translated as ‘*A monkey does not see its own bottoms*’ alludes to the same lesson.

Kenya has been criticized for great ethnic divides among its more than 40 ethnic groups. The divide has been especially intense among its larger ethnic groups. However, the picture portrayed during this election is that economic issues and people’s social development concerns seem to have ditched ethnicity. This is when another old African adage covets for thumb ups for Kenya. For according to the adage, ‘*Mnyonge mnyongeni lakini haki yake mpe*’ literally, ‘*As well as despising a poor person but give the person his due*’

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<sup>19</sup> Oyugi W, Odhiambo Mbai and Wanyande Peter are professors at the University of Nairobi in the Department of Political Science.

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